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ROCKHAMPTON REGIONAL COUNCIL

APPROVED PLANS

These plans are approved subject to the current conditions of approval associated with

Development Permit No.: D/63-2018


Dated: 21 February 2019

drawing title:
LOCATION PLAN

drawing no: **SK-001**

project no: **GG-015**



project: QUARRY		A3 DRAWING NOTED SCALES RELATE TO A3 DRAWINGS		REV 1		REVISIONS DESCRIPTION PRELIMINARY		DATE 2018-03-12		<p>PRELIMINARY SKETCH PLANS: If the drawings are labelled and issued 'preliminary', below, they are not suitable for Building Application, tender or construction purposes! The intent of preliminary sketch plans are only for presenting the concept for the specific project to the client as nominated in the title sheet.</p> <p>COPYRIGHT & LIABILITY: These drawings, concepts and designs are copyrighted and the property of DESIGNANDARCHITECTURE and not to be used for any other reason without the consent or permission of designandarchitecture PTY LTD. (ACN 167 978 832)</p> <p>DESIGNANDARCHITECTURE accept no responsibility for the accuracy, completeness or electronically transferred documents. NEVER SCALE OF DRAWINGS, IF IN DOUBT, ASK!</p>		 design + architecture abn: 80167978832 Pty Ltd. 044 968 2924 www.designoo.com.au design@designoo.com.au reg no:4610		ISSUED FOR PRELIMINARY	
location: LOT 722 ON LN1520		client:								scale As indicated		rev 1			
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Development Permit No.: D/63-2018

Dated: 21 February 2019

drawing title:
PROPOSED SITE PLAN

drawing no: **SK-003** project no: **GG-015**



project: **QUARRY**
A3 DRAWING NOTED SCALES RELATE TO A3 DRAWINGS

location:
LOT 722 ON LN1520

client:

REV 1
2
DESCRIPTION
PRELIMINARY
PRELIMINARY
DATE
2018-03-12
2018-06-21

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TECHNICAL MEMORANDUM

Project No. 0861718

Date: 08-May-18

To:
Gideon Genade
Gideon Town Planning
gg@gideontownplanning.com.au

From:
Chris Hewitt
Principal Engineer
McMurtrie Consulting Engineers
Lachlan@mcmengineers.com

ROCKHAMPTON REGIONAL COUNCIL

APPROVED PLANS

These plans are approved subject to the current conditions of approval associated with

Development Permit No.: D/63-2018

Dated: 21 February 2019

Re: Preliminary Traffic and Stormwater Advice

McMurtrie Consulting Engineers (MCE) has been engaged by John McEvoy to undertake a preliminary investigation of traffic and stormwater impacts related to the proposed granite pit development on Lot 122 on LN1520, 248 Kabra Road Bouldercombe.

1. TRAFFIC

The site is located adjacent to Moonmera Road which is under the jurisdiction of the Rockhampton City Council. Moonmera Road is a 100 kph sealed two lane two way road with approximately 6.5m to 7m seal width which forms part of the link between Mt Morgan and Kabra or the Capricorn Highway and the Burnett Highway.

The proposed new use for the site is for a granite pit for up to 20,000T per annum.

Figure 1 shows the proposed development site location.



Figure 1 Proposed Site Location



Moonmerra Road joins Four Mile Road just north of the site as part of the link from Mt Morgan to Kabra. Through traffic volumes along Four Mile Road 1.5km south of McEvoy Road are as follows:

- 1,061 vpd AADT in 2017 with a peak hour 2 way volume of 100 vph.

This count location is along the Mt Morgan to Kabra link and within 3 – 4kms of the proposed site so is considered appropriate.

Adopting a conservative growth rate of 3% results in peak hour volumes of 138 vph on Moonmerra Road and an AADT of 1469 vpd at the 10 year design horizon. Heavy vehicle percentage is 9.2% or 100 vpd in 2018 and 135 vpd at the 10 year design horizon.

The proposed development layout is as per Figure 2 below and the Design Architecture Plans attached as Attachment A.



Figure 2 Proposed Development

The site, when operational will have 2 employees and deliveries will be made by body truck or truck and dog combination as shown in Figure 3 depending on quantity. Deliveries will be generally to the Mt Morgan, Bouldercombe or Gracemere localities. Based on an extraction rate of 20,000T per annum with delivery over 6 days per week for 50 weeks per year by truck and dog combination at 32T/load it is expected that the maximum number of deliveries per day would be 2.

As such peak hour movements to/from site would never exceed a maximum of 3 vehicles in and 3 vehicles out in any peak hour assuming 1 delivery trip and 2 staff trips.

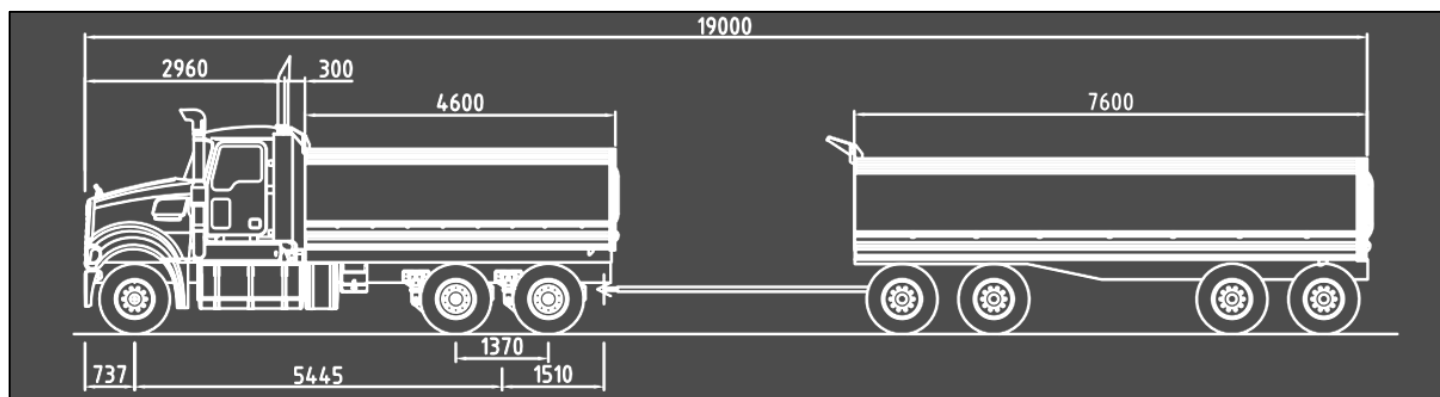


Figure 3 Truck and Dog Combination

At these volumes the impact from the proposed development heavy vehicle movements is less than 5% so no pavement assessment is warranted.

Site access will result in a BAR/BAL access intersection form as per Figure 4.

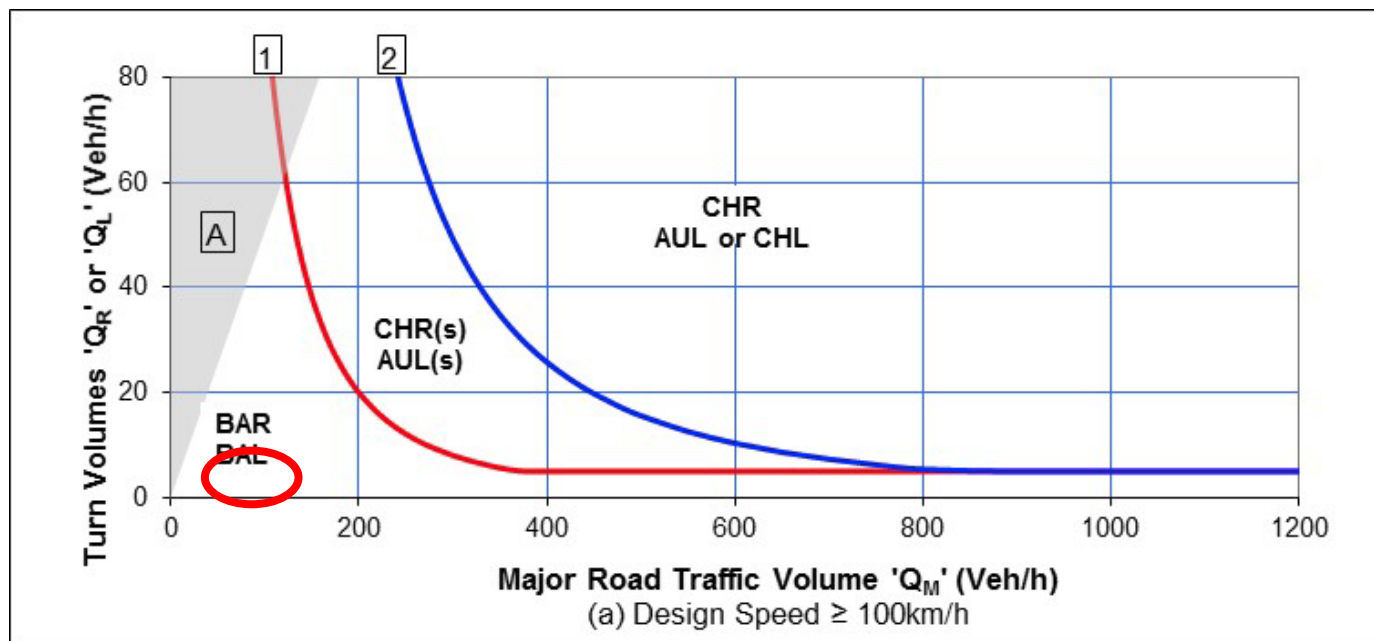


Figure 4 Warrants - major road turn treatments - Normal Design Domain

The access to Moonmera Road need to be designed in accordance with CMDG requirements for a truck and dog combination vehicle at the Operational Works Stage.

The site access is to located as per Figure 2 and access visibility along Moonmera Road exceeds the minimum requirement for SISD for 110kph of 285m in both directions as per Figure 5.



Figure 5 *Site Access Visibility in both Directions*

In summary this development proposal is unlikely to result in any safety or capacity issues for surrounding road network provided that access is designed in accordance with relevant CMDG standards for the largest vehicle type accessing the site.

2. Stormwater

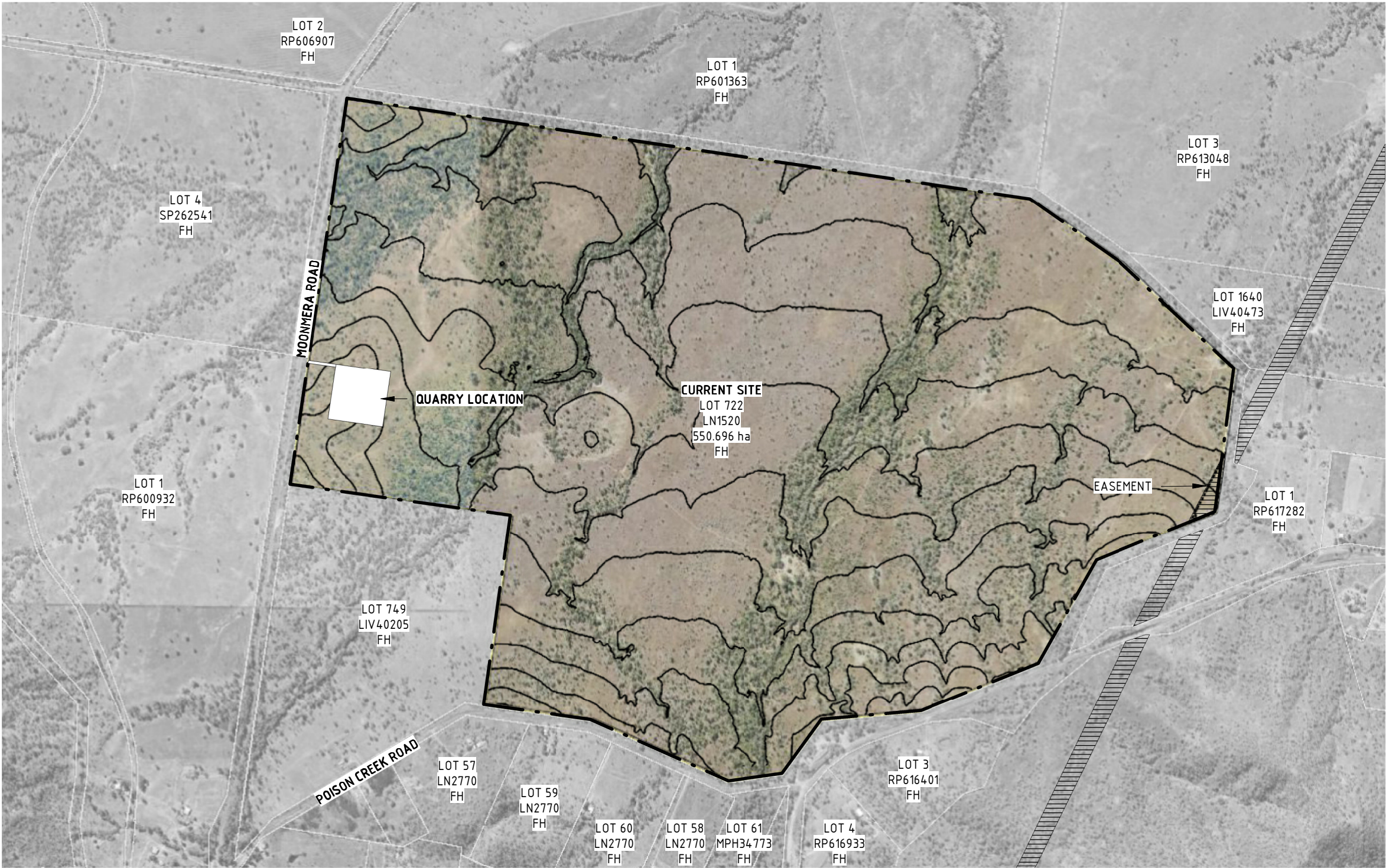
A preliminary stormwater quantity assessment has been undertaken to evaluate the effects of the proposed development on the existing stormwater condition. A copy of this assessment is included in Attachment B.

Kind regards,

Chris Hewitt
Principal Engineer, RPEQ 5141

ATTACHMENTS:

Attachment A – Preliminary Plans Design Architecture GG-015 SK-001 to SK-003
Attachment B – Stormwater Report

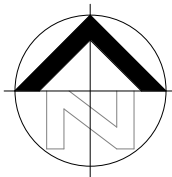



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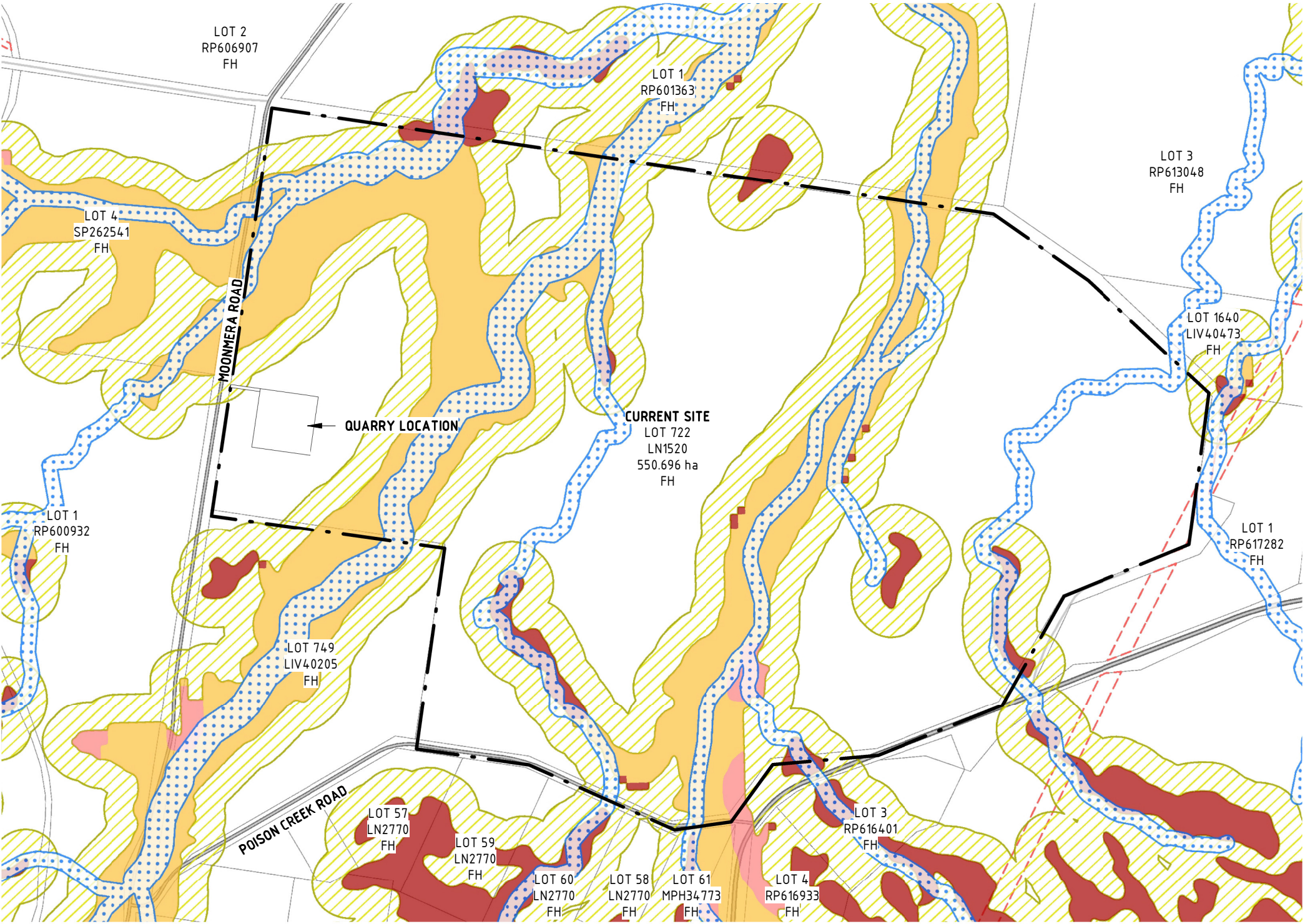
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drawing title:
LOCATION PLAN

drawing no: **SK-001** project no: **GG-015**



project: QUARRY		A3 DRAWING NOTED SCALES RELATE TO A3 DRAWINGS	REV 1	REVISIONS DESCRIPTION PRELIMINARY	DATE 2018-03-12	PRELIMINARY SKETCH PLANS: If the drawings are labelled and issued 'preliminary', below, they are not suitable for Building Application, tender or construction purposes! The intent of preliminary sketch plans are only for presenting the concept for the specific project to the client as nominated in the title sheet. COPYRIGHT & LIABILITY: These drawings, concepts and designs are copyrighted and the property of DESIGNANDARCHITECTURE and not to be used for any other reason without the consent or permission of designandarchitecture PTY.LTD. (ACN 167 978 832) DESIGNANDARCHITECTURE accept no responsibility for the accuracy, completeness of electronically transferred documents. NEVER SCALE OF DRAWINGS, IF IN DOUBT, ASK!	 design + architecture abn: 80167978832 Pty.Ltd. 044 968 2924 www.designaa.com.au	ISSUED FOR PRELIMINARY	
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ROCKHAMPTON REGIONAL COUNCIL OVERLAY LEGEND

MSES WATERWAYS

WATERWAYS

BUSHFIRE HAZARD

VERY HIGH

HIGH

MEDIUM

BUFFER

EASEMENTS

PROPERTY PARCELS (MAIN)

drawing title:

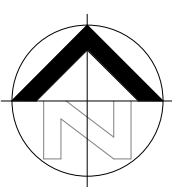
RRC OVERLAY PLAN

drawing no:

SK-002

project no:

GG-015



project: <div>A3 DRAWING NOTED SCALES RELATE TO A3 DRAWINGS</div>	
QUARRY	
location: <div>LOT 722 ON LN1520</div>	client:

REV	DESCRIPTION	DATE
1	PRELIMINARY	2018-03-12

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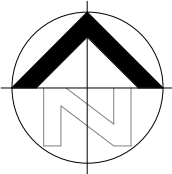
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PROPOSED SITE PLAN

drawing no: **SK-003** project no: **GG-015**



project: QUARRY	
location: LOT 722 ON LN1520	client:

REV 1	REVISIONS DESCRIPTION PRELIMINARY	DATE 2018-03-12
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086-17-18

Date: 08 May 2018

Proposed Granite Pit Development – 248 Kabra Road, Bouldercombe, QLD (Lot 722 on LN1520)



Stormwater Management Plan

This study considers stormwater discharge relevant to the existing pre-developed site and looks at the impact on discharge and water quality resulting from the post development condition. Hydrologic analysis and design flows for the subject site have been completed using the XPSTORM 2017 V2.2 software and checked using basic hand calculations. Stormwater quality has been designed to comply with Environmentally Relevant Act (ERA) 16, standard conditions set out by Department of Environment and Heritage Protection (DEHP).

Catchment Hydrology

Rainfall Data	Rainfall volumes and temporal patterns have been determined using Intensity Frequency Duration (IFD) Curves published by the Bureau of Meteorology	
IFD Location	Bouldercombe Moonmera Road Latitude: -23.562 Longitude: 150.424	
1 in 5 Year 24hr Rainfall depth	0.149m	
Granite Pit	Description	Rural Land – Sparse Vegetation
	Fraction Impervious	0%
	Area (ha)	4
1 in 5 Year Runoff Coefficient (Cs)	$C_y = F_y \times C_{10}$ $= 0.95 \times 0.59$	0.56

Total Hydrograph Volumes

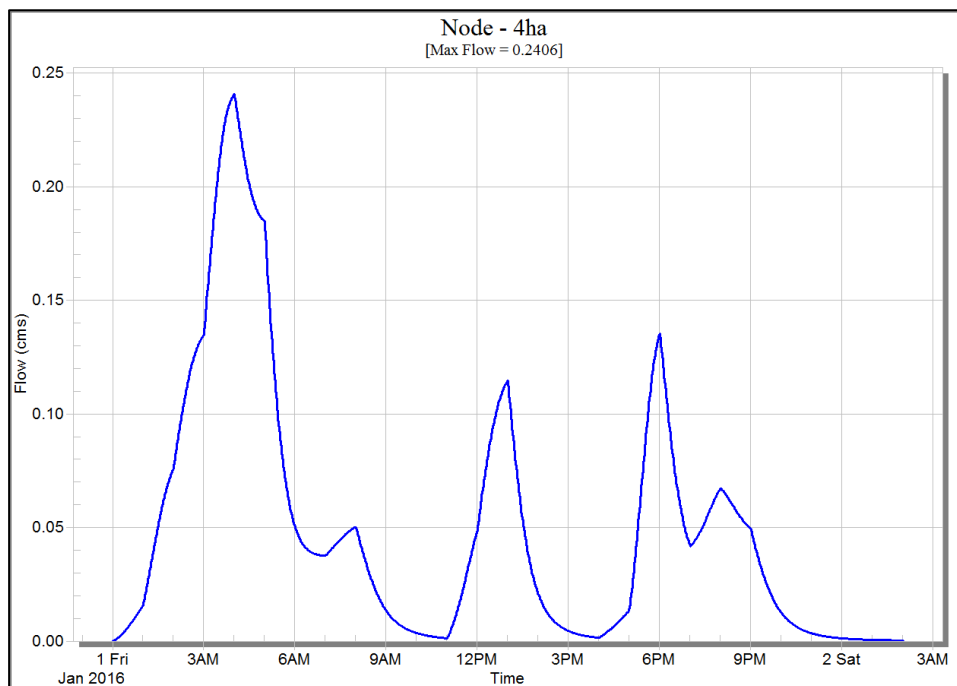
Total hydrograph volumes for the subject site have been calculated in XPSTORM software using the Laurenson Method for a 1 in 5 year 24hr storm event, in accordance with ERA 16 (Extractive Industry) Conditions. The results below provide estimated sediment basin volumes calculated using XPSTORM and checked using basic hand calculations.

Clay Extraction Pit	$0.56 \times 40,000 \times 0.149$ $= 3338\text{m}^3$
XPSTORM Hydrograph Volume	$0.117 \times 40,000$ $= 4680\text{m}^3$

Catchment Results (XPSTORM 2017)

Name	Storm	Subcatchment	Node Name	Catchment Number	Width m	Area ha	Impervious Percentage %	Slope	Infiltration Reference	Sub-Catchment Flag
4ha	ECN_20pct_24hr_4	1	4ha	1	0.000	4.000	0.0	0.0200	I=0 C=1.8 n=0.040	<input checked="" type="checkbox"/>

Name	Storm	Subcatchment	Area ha	Impervious Percentage %	Catchment Total Rainfall Depth	Catchment Total Runoff Depth	Catchment Total Infiltration	Catchment Surface Evaporation	Catchment Max Infil. Rate mm/hr	Catchment Min Infil. Rate mm/hr	Catchment Max Flow cms
4ha	ECN_20pct_24hr_4	1	4.000	0.0	149.000	116.772	32.180	0.000	0.000	0.000	0.241



Stormwater Management Design

The proposed disturbed areas will be directed to sediment basin via swale drains along the disturbed area boundaries. Sediment basin will be designed in accordance with International Erosion Control Association, Aust Best Practice Guidelines and will have adequate capacity to capture and hold a 1 in 5 year 24hr event in accordance with ERA conditions and above calculations. Basin Volumes calculated using XPSTORM software will be adopted. For preliminary sediment basin and swale locations refer to McMurtrie Consulting Engineers, Stormwater Management Plan, Ref: 0861718-P-1001.

Evaluation

1. This study has assessed total hydrograph volumes for the 1 in 5 year 24 Hour event in accordance with ERA 16.
2. Sediment basin has been sized and preliminary location as shown on DWG 0861718-P-1001.

Attachments

1. McMurtrie Consulting Engineers, Stormwater Management Plan, Ref: 0861718-P-0101

Prepared by

Chris Hewitt
RPEQ 5141



EXTERNAL CATCHMENT DIVERSION FLOW BUND

DISTURBED AREA FLOW SWALE



MOONMERA ROAD

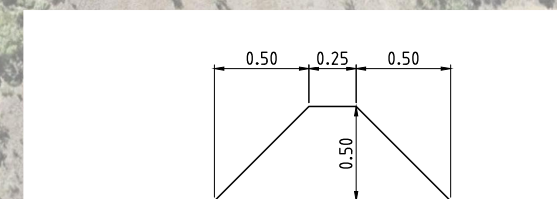
Deer

SEDIMENT POND: 4680 m³

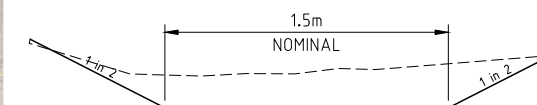
PROPOSED QUARRY
40,000m²

EXISTING WATERCOURSE

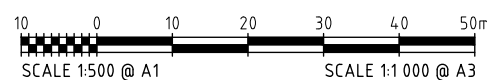
PROPERTY BOUNDARY



A TYPICAL BUND WALL DETAIL
SCALE 1:20(A1) 1:40(A3)



B TYPICAL SWALE DETAIL
- SCALE 1:20(A1) 1:40(A3)



STORMWATER MANAGEMENT PLAN
SCALE 1:500(A1) 1:1000(A3)

[illegible]

John McEvoy Proposed Quarry - ERA EA Application and Environmental Report



ROCKHAMPTON REGIONAL COUNCIL

APPROVED PLANS

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Development Permit No.: D/63-2018

Dated: 21 February 2019

STEER
ENVIRONMENTAL CONSULTING

John McEvoy – Proposed Quarry – Application for Environmental Authority Extractive and Screening Activities.
ERA 16 2(a) - Extracting (other than by dredging) 5,000 tonnes to 100,000 tonnes of material in a year and ERA 16 3(a) - Screening 5,000 tonnes to 100,000 tonnes of material in a year. Lot 722/LN1520

Applicant Name: John McEvoy

AR #:

Project #: EA Application and DA Environmental Report

EA Application #:

Report Prepared by: STEER Environmental Consulting




01 June 2018

Document Status

Report Type: Environmental Report – EA Application

Project: Application for Environmental Authority - Quarry Lot 722/LN1520

Client: John McEvoy

Document Version	Date	Author	Checked	Approved
Final	01.06.2018	SB	PS	PS
Signed				

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1 Abbreviations

- DA - Development Approval
- EA - Environmental Authority
- EP Act - *Environmental Protection Act 1994*
- EP Reg - *Environmental Protection Regulation 2008*
- ERA - Environmentally Relevant Activity
- RRC - Rockhampton Regional Council
- STEER EC - STEER Environmental Consulting

2 Executive Summary

STEER Environmental Consulting (STEER EC) has been engaged by Mr John McEvoy to make application for an Environmental Authority (EA), and provide a supporting environmental report to Gideon Town Planning for a Development Approval (DA) application for a proposed quarry on Moonmera Road, Bouldercombe 4702. The property is described as Lot 722 on Plan LN1520. The proposed quarry triggers the requirement for an approval to conduct environmentally relevant activities (ERAs) 16 2(a) and 16 3(a).

This environmental report serves two purposes:

1. To provide an assessment record and report addressing eligibility criteria and standard approval conditions for ERA 16 2(a) Extracting (other than by dredging) 5,000 tonnes to 100,000 tonnes of material in a year and ERA 16 3(a) Screening 5,000 tonnes to 100,000 tonnes of material in a year.
2. To provide a supporting environmental report to accompany a DA application from Gideon Town Planning to Rockhampton Regional Council for the proposed quarry.

The conclusion of this report is that the proposed activity complies with all eligibility criteria and will be able to comply with the conditions for the standard approval for ERA 16.

Additionally, this report has identified that the proposed activity will be able to be operated with minimal or no impact upon the surrounding receiving environment and nearby sensitive receptors.

3 Introduction

STEER Environmental Consulting (STEER EC) has been engaged by Mr John McEvoy to make application for an Environmental Authority (EA), and provide a supporting environmental report to Gideon Town Planning for a Development Approval (DA) application for a proposed quarry on Moonmera Road, Bouldercombe 4702. The property is described as Lot 722 on Plan LN1520. The proposed quarry is an environmentally relevant activity (ERA) under the *Environmental Protection Act 1994* (EP Act) and *Environmental Protection Regulation 2008* (EP Reg) and is described as:

ERA 16 2(a) extractive and screening activities - Extracting (other than by dredging) 5,000 tonnes to 100,000 tonnes of material in a year and ERA 16 3(a) Screening 5,000 tonnes to 100,000 tonnes of material in a year.

This environmental report serves two purposes:

1. To provide an assessment record and report addressing eligibility criteria and standard approval conditions for ERA 16 2(a) Extracting (other than by dredging) 5,000 tonnes to 100,000 tonnes of material in a year and ERA 16 3(a) Screening 5,000 tonnes to 100,000 tonnes of material in a year.
2. To provide a supporting environmental report to accompany a DA application from Gideon Town Planning to Rockhampton regional Council for the proposed quarry.

4 Site Location and Surrounding Area

The site of the proposed quarry is located in Central Queensland on Moonmera Road, Kabra, Lot on Plan 722/LN1520. This is approximately 6 km west of the town of Bouldercombe and 14.5 km south of the town of Gracemere (see Figure 1).



Figure 1. Site of proposed quarry in relation to the towns of Bouldercombe and Gracemere.

The surrounding area is predominantly grazing land and native vegetation, with some cropping to the north west and some residential areas to the south.

5 Eligibility Criteria for ERA 16 Standard Approval

This section addresses the eligibility criteria for ERA 16 standard approvals. Based upon information provided by the proponent, the proposed quarry development complies with all of the criteria for the required ERA 16 standard approvals. The eligibility criteria for standard approval ERA 16 are contained in Appendix A.

Activity description

- The proposed quarry will not exceed 100,000 tonnes of extracted material per year.

Activity location

- The location of the activity is not within 1000 m of any of the sensitive uses listed in the eligibility criteria which can be viewed in appendix 1 (see Figure 2).
- The facility is not in a category A or B environmentally sensitive area.
- The facility is not within 100 m of a watercourse (see Figure 2).
- The proposed area of operation is 4 ha which is within the 5 ha limit for standard approvals.

Activity operations

- The combustion of fuel, other than natural gases, will not exceed 500 kg per hour.

Water

- There will be no release of aqueous waste from the activity to waters.

Groundwater

- The activity will not impact on the level of groundwater or on groundwater quality at or adjacent to the location where it is conducted.

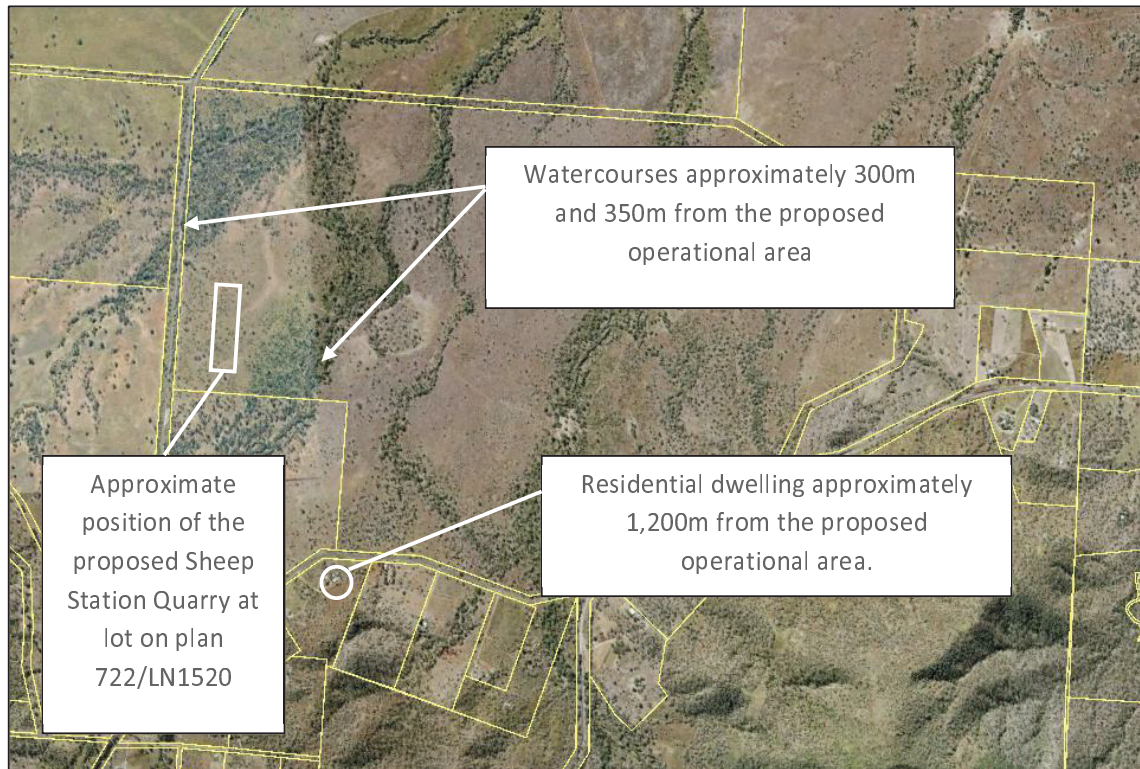


Figure 2. Approximate distances from watercourses and the nearest sensitive use (residential dwelling) in relation to the proposed Sheep Station Quarry site.

6 Standard Conditions for ERA 16 Standard Approval

This section addresses the standard conditions for ERA 16. The standard conditions for ERA 16 can be viewed in Appendix A.

6.1 General

Condition G1

G1: All reasonable steps must be taken to ensure the activity complies with the eligibility criteria.

All reasonable steps will be undertaken by the proponent to ensure that the activity complies with the eligibility criteria.

Condition G2

G2: The activity must be undertaken in accordance with written procedures that:

- *identify potential risks to the environment from the activity during routine operations and emergencies*
- *establish control measures that minimise the potential for environmental harm*
- *ensure plant and equipment is maintained and operated in proper and effective condition*
- *ensure that staff are trained and aware of their obligations under the Environmental Protection Act 1994*
- *ensure that reviews of environmental performance are undertaken at least annually.*

Written procedures will be developed to comply with the requirements of Condition G2.

Condition G3

G3: The activity must not cause environmental nuisance at a nuisance sensitive place.

The activity will not cause environmental nuisance at a sensitive place. As the nearest sensitive use is approximately 1.2 km away, it is not anticipated or likely that any nuisance will be experienced.

Condition G4

G4: The activity must not cause the release of dust or particulates that cause environmental nuisance beyond the boundary of the site.

The activity will not cause the release of dust or particulates that cause environmental nuisance beyond the boundary of the site. As the nearest sensitive use is approximately 1.2 km away, it is not anticipated or likely that any dust nuisance will be experienced. Dust suppression measures will be available should any concerns regarding dust arise.

Condition G5

G5: Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.

Storage of chemicals and fuels in bulk or in containers of greater than 15 L will be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.

6.2 Land

Condition L1

L1: Contaminants from the activity must not be released to land.

No contaminants from the activity will be released to land. The only contaminants which are anticipated to eventuate from the activity will be in the form of sediment liberated as a result of quarrying activities. Any sediments liberated by the activity will be contained within purpose built stormwater and sediment control infrastructure.

Condition L2

L2: As soon as practicable after completion of operational work land disturbed by the activity must be rehabilitated to achieve the following:

- 1. the land is safe for humans and fauna*
- 2. the land has no subsidence or erosion gullies following completion of the rehabilitation*
- 3. there is no ongoing contamination to waters*
- 4. the maintenance requirements for the land are no greater than for the land before it was disturbed.*

Rehabilitation of disturbed areas will commence as soon as practicable following the cessation of operations. Rehabilitation of the site will focus on making the site safe for animals and humans, minimising erosion and subsidence, preventing contamination to waters and ensuring maintenance requirements are no greater than before.

Condition L3

L3: Acid sulphate soils, acid-producing rock and marine sediments must not be processed.

Acid sulphate soil mapping for the region shows no deposits in the area. Therefore there will be no acid sulphate soil or acid producing rock processed on site.

6.3 Noise and Vibration

Condition N1

N1: The activity must not cause audible noise

- a) on a business day or Saturday, before 7am or after 7pm*
- b) on any other day, before 8am or after 7pm*

at any of the following places:

- a dwelling, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises*
- a kindergarten, school, university, library, childcare centre or other educational institution*
- a medical centre or hospital.*

The proposed activity is approximately 1.2 km from the nearest sensitive use and therefore noise nuisance is not anticipated or likely to occur as a result of the operations at the proposed quarry site.

Condition N2

N2: Blasting operations must comply with the following:

- 1. a blast management plan must be developed for each blasting activity in accordance with Australian Standard 2187*
- 2. the airblast overpressure is less than 115dB Z Peak for 4 out of any 5 consecutive blasts*
- 3. the airblast overpressure is less than 120dB Z Peak for all blasts*
- 4. the ground vibration is not:*
 - i. for vibrations of more than 35Hz—more than 25 millimetres (mm) a second ground vibration, peak particle velocity*
 - ii. for vibrations of no more than 35Hz—more than 10mm a second ground vibration, peak particle velocity.*

There is no intention for blasting to occur at the proposed quarry.

6.4 Water

Condition W1

W1: Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.

The only anticipated contamination of stormwater from the activity is from sediment which has been liberated by the quarrying activity. Stormwater which is contaminated by liberated sediments will be managed via purpose built stormwater and sediment control infrastructure.

Condition W2

W2: Ponds used for the storage or treatment of aqueous waste must be constructed, installed and maintained to:

- prevent any release of aqueous waste from the ponds*
- ensure the stability of the pond structure.*

There will be no aqueous waste produced as a result of the activity.

Condition W3

W3: Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

Erosion and sediment control measures will be carried out in conjunction with purpose built stormwater and sediment control infrastructure.

Condition W4

W4: The stormwater runoff from the facility generated by a 24 hour storm event with an average recurrence interval of one in five years must be retained on site and treated to remove contaminants before release.

The purpose built stormwater and sediment control infrastructure at the proposed quarry site will be designed to capture stormwater runoff generated by a 24 hour storm event with an average recurrence interval of one in five years.

6.5 Waste

Condition R1

R1: All waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite.

All waste generated on site will be reused, recycled or disposed of in a lawful manner offsite.

7 Conclusion

STEER EC has taken into consideration the eligibility criteria and conditions contained within the standard approval for ERA 16. STEER EC has also considered the likely effects of the proposed quarry site on nearby sensitive uses, environmental values and the ability of the proponent to mitigate these effects to an acceptable level.

In conclusion, it is the opinion of STEER EC that all eligibility criteria and conditions for ERA 16 standard approval have been met for the proposed Sheep Station Quarry site. Furthermore, it is also the opinion of STEER EC that any risk to nearby sensitive uses and environmental values can be satisfactorily mitigated.

8 Appendices

Appendix A – Eligibility Criteria and Conditions for ERA 16 Standard Approval

Eligibility criteria and standard conditions for extracting material (ERA 16) – Version 2

This document provides eligibility criteria and standard conditions for Environmentally Relevant Activity (ERA) 16 - Extractive and screening activities at threshold 2a - extracting 5000 tonnes to 100,000 tonnes of material in a year.

Eligibility criteria

Eligibility criteria are constraints set to ensure environmental risks associated with the operation of the ERA are able to be managed by the standard conditions. Eligibility criteria set out the circumstances in which a standard or variation application for an environmental authority can be made.

Standard conditions

Standard conditions are the minimum operating requirements an environmental authority holder must comply with.

Standard applications

If an applicant can meet all of the eligibility criteria and standard conditions, then they can make a standard application. Applicants are required to complete a 'Standard application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Variation applications

If an applicant can meet all of the eligibility criteria but needs to vary one or more of the standard conditions to suit their operational needs, then they can make a variation application. Applicants are required to complete a 'Variation application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Site specific applications

Applicants who cannot meet the eligibility criteria must make a site specific application. Applicants are required to complete a 'Site specific application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Amendment applications

If the holder of an environmental authority needs to amend a standard condition in the issued environmental authority, then the holder must submit an 'Amendment application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Definitions

Some terms used in this document are defined in Appendix 1.

Version history

Version	Date	Description of changes
1	6 December 2013	Eligibility criteria and standard conditions take effect
2	30 September 2015	Updated for repeal of wild river provisions (as allowed in section 715C of the <i>Environmental Protection Act 1994</i>) and version history added
2	15 August 2016	Added publication number ESR/2015/1711

Eligibility criteria and standard conditions
Extracting material (ERA 16)

Eligibility criteria

Eligibility criteria category	Eligibility criteria
Activity description	The quantity of material extracted does not exceed 100,000 tonnes per year.
Activity location	<p>The facility is not within 1000 metres of:</p> <ul style="list-style-type: none"> • a dwelling, residential allotment, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises • a kindergarten, school, university, library, childcare centre or other educational institution • a medical centre or hospital • a protected area under the <i>Nature Conservation Act 1992</i> • a public park or gardens <p>unless</p> <p>the facility is only for the extraction of material for the construction or maintenance of rail transport infrastructure and roads and those residing at any of the above places, or the landowner where there are no residents, have agreed in writing to the facility.</p>
	The facility is not in any category A or B environmentally sensitive area.
	The facility is not in a designated precinct in a strategic environmental area as defined in the Regional Planning Interests Regulation 2014 or regional plan.
	The facility is not within 100 metres of any watercourse, wetland or spring.
	The maximum area of extraction workings is 5.0 hectares.
Activity operations	The combustion of fuel, other than natural gases, does not exceed 500 kilograms per hour.
Water	There is no release of aqueous waste from the activity to waters.
Groundwater	The activity will not impact on the level of groundwater or on groundwater quality at or adjacent to the location where it is conducted.

Standard conditions

Conditions
General
G1: All reasonable steps must be taken to ensure the activity complies with the eligibility criteria.
G2: The activity must be undertaken in accordance with written procedures that: <ul style="list-style-type: none">• identify potential risks to the environment from the activity during routine operations and emergencies• establish control measures that minimise the potential for environmental harm• ensure plant and equipment is maintained and operated in proper and effective condition• ensure that staff are trained and aware of their obligations under the <i>Environmental Protection Act 1994</i>• ensure that reviews of environmental performance are undertaken at least annually.
G3: The activity must not cause environmental nuisance at a nuisance sensitive place.
G4: The activity must not cause the release of dust or particulates that cause environmental nuisance beyond the boundary of the site.
G5: Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.
Land
L1: Contaminants from the activity must not be released to land.
L2: As soon as practicable after completion of operational work land disturbed by the activity must be rehabilitated to achieve the following: <ol style="list-style-type: none">1. the land is safe for humans and fauna2. the land has no subsidence or erosion gullies following completion of the rehabilitation3. there is no ongoing contamination to waters4. the maintenance requirements for the land are no greater than for the land before it was disturbed.
L3: Acid sulphate soils, acid-producing rock and marine sediments must not be processed.
Noise and Vibration
N1: The activity must not cause audible noise <ol style="list-style-type: none">(a) on a business day or Saturday, before 7am or after 7pm(b) on any other day, before 8am or after 7pm at any of the following places: <ul style="list-style-type: none">• a dwelling, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises• a kindergarten, school, university, library, childcare centre or other educational institution• a medical centre or hospital.
N2: Blasting operations must comply with the following: <ol style="list-style-type: none">1. a blast management plan must be developed for each blasting activity in accordance with Australian Standard 21872. the airblast overpressure is less than 115dB Z Peak for 4 out of any 5 consecutive blasts

Eligibility criteria and standard conditions
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3. the airblast overpressure is less than 120dB Z Peak for all blasts

4. the ground vibration is not:

(i) for vibrations of more than 35Hz—more than 25 millimetres (mm) a second ground vibration, peak particle velocity

(ii) for vibrations of no more than 35Hz—more than 10mm a second ground vibration, peak particle velocity.

Water

W1: Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.

W2: Ponds used for the storage or treatment of aqueous waste must be constructed, installed and maintained to:

- prevent any release of aqueous waste from the ponds
- ensure the stability of the pond structure.

W3: Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

W4: The stormwater runoff from the facility generated by a 24 hour storm event with an average recurrence interval of one in five years must be retained on site and treated to remove contaminants before release.

Waste

R1: All waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite.

Appendix 1: Terms and definitions

Term	Definition
Activity	the environmentally relevant activity to which this environmental authority relates. An activity may be undertaken on the whole or a part of a site.
Aqueous waste	any aqueous waste including process water, water that has otherwise been used in the carrying out of the activity or sewage, whether or not the waste has been treated, but excluding stormwater and water used for dust suppression that has been treated to remove contaminants.
Audible noise	means noise that can be clearly heard by an individual who is an occupier at a place listed in condition N1.
Australian Standard 2187	Australian Standard AS 2187.2- 2006 Explosives – Storage, transport and use – use of explosives.
Category A or B environmentally sensitive area	as defined in Schedule 12, Part 1 of the Environmental Protection Regulation 2008.
Chemical	as defined in Schedule 12, Part 2 of the Environmental Protection Regulation 2008.
Combustion of fuel	does not include fuel used in explosives or by vehicles.
Contaminant(s)	as defined in Section 11 of the <i>Environmental Protection Act 1994</i> .
Environmental harm	as defined in Section 14 of the <i>Environmental Protection Act 1994</i> .
Environmental nuisance	as defined in Section 15 of the <i>Environmental Protection Act 1994</i> .
Extraction workings	extraction workings means an area from which quarry material or overburden has been extracted, or on which product or waste rock is stored and that has not been rehabilitated in accordance with condition L2
Facility	the area used for carrying out the ERA including any buildings, disturbed areas or any associated infrastructure.
Land	land excluding waters and the atmosphere. Land includes land on the authorised place.
Maintenance	as defined in Schedule 6 of the <i>Transport Infrastructure Act 1994</i> .
Minimise	<p>minimise by taking all reasonable and practical measures to minimise the adverse effect having regard to the following matters:</p> <ul style="list-style-type: none"> (a) the nature of the harm or potential harm (b) the sensitivity of the receiving environment (c) the current state of technical knowledge for the activity (d) the likelihood of successful application of different measures that might be taken to minimise the adverse effects (e) the financial implications of the different measures as they would relate to the type of activity (f) if the adverse effect is caused by the location of the activity being carried out, whether it is feasible to carry out the activity at another location.
Nuisance sensitive place	<p>nuisance sensitive place includes:</p> <ul style="list-style-type: none"> • within or outside of a dwelling, residential allotment, mobile home or caravan park,

Eligibility criteria and standard conditions
Extracting material (ERA 16)

	<p>residential marina or other residential premises</p> <ul style="list-style-type: none"> • within or outside of a motel, hotel or hostel • within or outside of a kindergarten, school, university or other educational institution • within or outside of a medical centre or hospital • within a protected area under the <i>Nature Conservation Act 1992</i>, within a marine park under the <i>Marine Parks Act 1992</i> or a world heritage area • within a public thoroughfare, park or gardens • within or outside of 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.
Rail transport infrastructure	as defined in Schedule 6 of the <i>Transport Infrastructure Act 1994</i> .
Road	as defined in section 93 of the <i>Land Act 1994</i>
Spring	the land to which water rises naturally from below the ground and the land over which the water then flows.
Waters	all or any part of a creek, river, stream, lake, lagoon, swamp, wetland, spring, unconfined surface water, unconfined water in natural or artificial watercourses, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and underground water.
Watercourse	as defined in Section 8, Schedule 12 of the Environmental Protection Regulation 2008.
Wetland	as defined in Schedule 12 of the Environmental Protection Regulation 2008, means an area shown as a wetland on the map of referable wetlands.

Appendix 2: General obligations for environmental authority holders

This appendix is not intended to provide a comprehensive assessment of all obligations under Queensland law. It provides some general information and holders are encouraged to familiarise themselves with all requirements related to their specific operation.

Responsibilities under the *Environmental Protection Act 1994*

Separate to the requirements of the standard conditions, the holder of the environmental authority must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act. For example, the holder must be aware of the following provisions of the *Environmental Protection Act 1994* which may apply unless the environmental harm is authorised by the conditions of the environmental authority.

General environmental duty

Section 319 of the *Environmental Protection Act 1994* states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonable and practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to consider:

- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

It is not an offence not to comply with the general environmental duty. However, maintaining your general environmental duty is a defence against the following acts:

- (a) an act that causes serious or material environmental harm or an environmental nuisance
- (b) an act that contravenes a noise standard
- (c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG.

More information is available on the Department of Environment and Heritage Protection website www.ehp.qld.gov.au.

Duty to notify

Section 320 of the *Environmental Protection Act 1994* explains the duty to notify. The duty to notify applies to all persons and requires a person or company to give notice where serious or material environmental harm is caused or threatened. Notice must be given of the event, its nature and the circumstances in which the event happened. Notification can be verbal, written or by public notice depending on who is notifying and being notified.

The duty to notify arises where:

- a person carries out activities or becomes aware of an act of another person arising from or connected to those activities which causes or threatens serious or material environmental harm
- while carrying out activities a person becomes aware of the happening of one or both of the following events:
 - the activity negatively affects (or is reasonably likely to negatively affect) the water quality of an aquifer
 - the activity has caused the unauthorised connection of 2 or more aquifers.

For more information on the duty to notify requirements refer to the guideline 'Duty to notify of environmental harm' (EM467).

Some relevant offences under the *Environmental Protection Act 1994*

Non-compliance with a condition of an environmental authority (section 430)

Section 430 of the *Environmental Protection Act 1994* requires that a person who is the holder of, or is acting under, an environmental authority must not wilfully contravene, or contravene a condition of the authority.

Environmental authority holder responsible for ensuring conditions complied with (section 431)

Section 431 of the *Environmental Protection Act 1994* requires that the holder of an environmental authority must ensure everyone acting under the authority complies with the conditions of the authority. If another person acting under the authority commits an offence against section 430, the holder also commits an offence, namely, the offence of failing to ensure the other person complies with the conditions.

Causing serious or material environmental harm (sections 437–39)

Material environmental harm is when the harm is not trivial or negligible in nature. Serious environmental harm is harm that is irreversible, of a high impact or widespread, or that is caused to an area of high conservation value or special significance. Damages, or costs required to rehabilitate the environment, of over \$5000 also constitute serious environmental harm.

Serious or material environmental harm excludes environmental nuisance.

Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the *Environmental Protection Act 1994*.

It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

Placing a contaminant where environmental harm or nuisance may be caused (section 443)

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

Some of the relevant offences under the *Waste Reduction and Recycling Act 2011*

Littering (section 103)

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 litres or more) at a place. Illegal dumping can also include abandoned vehicles.

Relevant offence under the Environment Protection (Waste Management) Regulation 2000

Trackable waste to be given only to licensed transporter (section 41)

A generator of trackable waste must not give the waste to another person to transport it commercially, or in a load of more than 250 kilograms, in a vehicle unless the other person holds, or is acting under, the required authority for transporting the waste in the vehicle.

Responsibilities under other legislation

An environmental authority pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for the activity that might be required by other state and/or Commonwealth legislation. Other legislation for which a permit may be required includes but is not limited to the:

- *Aboriginal Cultural Heritage Act 2003*
- contaminated land provisions of the *Environmental Protection Act 1994*
- *Fisheries Act 1994*
- *Forestry Act 1959*
- *Nature Conservation Act 1992*
- *Petroleum and Gas (Production and Safety) Act 2004 / Petroleum Act 1923*
- *Queensland Heritage Act 1992*
- *Sustainable Planning Act 2009*
- *Water Supply (Safety and Reliability) Act 2008*
- *Water Act 2000*.

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.

Eligibility criteria and standard conditions for screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16) – Version 2

This document provides eligibility criteria and standard conditions for Environmentally Relevant Activity (ERA) 16 - Extractive and screening activities at threshold 3a - screening 5000 tonnes to 100,000 tonnes of material in a year.

Eligibility criteria

Eligibility criteria are constraints set to ensure environmental risks associated with the operation of the ERA are able to be managed by the standard conditions. Eligibility criteria set out the circumstances in which a standard or variation application for an environmental authority can be made.

Standard conditions

Standard conditions are the minimum operating requirements an environmental authority holder must comply with.

Standard applications

If an applicant can meet all of the eligibility criteria and standard conditions, then they can make a standard application. Applicants are required to complete a 'Standard application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Variation applications

If an applicant can meet all of the eligibility criteria but needs to vary one or more of the standard conditions to suit their operational needs, then they can make a variation application. Applicants are required to complete a 'Variation application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Site specific applications

Applicants who cannot meet the eligibility criteria must make a site specific application. Applicants are required to complete a 'Site specific application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Amendment applications

If the holder of an environmental authority needs to amend a standard condition in the issued environmental authority, then the holder must submit an 'Amendment application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Definitions

Some terms used in this document are defined in Appendix 1.

Version history

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1	6 December 2013	Eligibility criteria and standard conditions take effect
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2	15 August 2016	Added publication number ESR/2015/1704

Screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16)

Eligibility criteria

Eligibility criteria category	Eligibility criteria
Activity description	The quantity of material screened does not exceed 100,000 tonnes per year.
Activity location	<p>The facility is not within 1000 metres of:</p> <ul style="list-style-type: none"> • a dwelling, residential allotment, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises • a kindergarden, school, university, library, childcare centre or other educational institution • a medical centre or hospital • a protected area under the <i>Nature Conservation Act 1992</i> • a public park or gardens <p>unless</p> <p>the facility is only for the screening of material for the construction or maintenance of rail transport infrastructure and roads and those residing at any of the above places, or the landowner where there are no residents, have agreed in writing to the facility.</p> <p>The facility is not carried out in any category A or B environmentally sensitive area.</p> <p>The facility is not within 100 metres of any watercourse, wetland or spring.</p> <p>The facility is not in a designated precinct in a strategic environmental area as defined in the Regional Planning Interests Regulation 2014 or regional plan.</p>
Air	The combustion of fuel, other than natural gases, does not exceed 500 kilograms per hour.
Water	There is no release of aqueous waste from the activity to waters.

Screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16)

Standard conditions

Conditions
General
G1: All reasonable steps must be taken to ensure the activity complies with the eligibility criteria.
<p>G2: The activity must be undertaken in accordance with written procedures that:</p> <ul style="list-style-type: none"> • identify potential risks to the environment from the activity during routine operations and emergencies • establish control measures that minimise the potential for environmental harm • ensure plant and equipment is maintained and operated in proper and effective condition • ensure that staff are trained and aware of their obligations under the <i>Environmental Protection Act 1994</i> • ensure that reviews of environmental performance are undertaken at least annually.
G3: The activity must not cause environmental nuisance at a nuisance sensitive place.
G4: The activity must not cause the release of dust or particulates that causes environmental nuisance beyond the boundary of the site.
G5: Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.
Noise
<p>N1: The activity must not cause audible noise</p> <p>(a) on a business day or Saturday, before 7.00am or after 7.00pm; or</p> <p>(b) on any other day, before 8.00am or after 7.00pm</p> <p>at any of the following places:</p> <ul style="list-style-type: none"> • a dwelling, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises • a kindergarten, school, university, library, childcare centre or other educational institution • a medical centre or hospital.
Land
L1: Contaminants must not be released to land from the activity.
L2: Acid sulfate soils, acid producing rock and marine sediments must not be processed.
Water
W1: Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.
<p>W2: Ponds used for the storage or treatment of aqueous waste must be constructed, installed and maintained to:</p> <ul style="list-style-type: none"> • prevent any release of aqueous waste from the ponds • ensure the stability of the pond structure.
W3: Erosion and sediment control measures must be implemented and maintained to minimise erosion and the

Eligibility criteria and standard conditions

Screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16)

release of sediment.
W4: The stormwater runoff from the facility generated by a 24 hour storm event with an average recurrence interval of one in five years must be retained on site and treated to remove contaminants before release.
Waste
R1: All waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite.

Appendix 1: Terms and definitions

Term	Definition
Activity	the environmentally relevant activity to which this environmental authority relates. An activity may be undertaken on the whole or a part of a site.
Aqueous waste	any aqueous waste including process water, water that has otherwise been used in the carrying out of the activity or sewage, whether or not the waste has been treated, but excluding stormwater and water used for dust suppression that has been treated to remove contaminants.
Audible noise	noise that can be clearly heard by an individual who is an occupier at a place listed in condition N1.
Category A or B environmentally sensitive area	as defined in Schedule 12, Part 1 of the Environmental Protection Regulation 2008.
Chemical	as defined in Schedule 12, Part 2 of the Environmental Protection Regulation 2008.
Contaminant(s)	as defined in Section 11 of the <i>Environmental Protection Act 1994</i> .
Combustion of fuel	does not include fuel used in explosives or by vehicles.
Environmental harm	as defined in Section 14 of the <i>Environmental Protection Act 1994</i> .
Environmental nuisance	as defined in Section 15 of the <i>Environmental Protection Act 1994</i> .
Facility	the area used for carrying out the ERA including any buildings, disturbed areas or any associated infrastructure.
Land	land excluding waters and the atmosphere. Land includes land on the authorised place.
Maintenance	as defined in Schedule 6 of the <i>Transport Infrastructure Act 1994</i> .
Minimise	<p>minimise by taking all reasonable and practical measures to minimise the adverse effect having regard to the following matters:</p> <ul style="list-style-type: none"> (a) the nature of the harm or potential harm (b) the sensitivity of the receiving environment (c) the current state of technical knowledge for the activity (d) the likelihood of successful application of different measures that might be taken to minimise the adverse effects (e) the financial implications of the different measures as they would relate to the type of activity (f) if the adverse effect is caused by the location of the activity being carried out, whether it is feasible to carry out the activity at another location.
Nuisance sensitive place	<p>nuisance sensitive place includes:</p> <ul style="list-style-type: none"> • within or outside of a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises

Eligibility criteria and standard conditions

Screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16)

	<ul style="list-style-type: none"> • within or outside of a motel, hotel or hostel • within or outside of a kindergarten, school, university or other educational institution • within or outside of a medical centre or hospital • within a protected area under the <i>Nature Conservation Act 1992</i>, within a marine park under the <i>Marine Parks Act 1992</i> or a world heritage area • within a public thoroughfare, park or gardens • within or outside of 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.
Rail transport infrastructure	as defined in Schedule 6 of the <i>Transport Infrastructure Act 1994</i> .
Road	as defined in section 93 of the Land Act 1994
Spring	the land to which water rises naturally from below the ground and the land over which the water then flows.
Waters	all or any part of a creek, river, stream, lake, lagoon, swamp, wetland, spring, unconfined surface water, unconfined water in natural or artificial watercourses, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and underground water.
Watercourse	as defined in Section 8, Schedule 12 of the Environmental Protection Regulation 2008.
Wetland	as defined in Schedule 12 of the Environmental Protection Regulation 2008, means an area shown as a wetland on the map of referable wetlands.

Appendix 2: General obligations for environmental authority holders

This appendix is not intended to provide a comprehensive assessment of all obligations under Queensland law. It provides some general information and holders are encouraged to familiarise themselves with all requirements related to their specific operation.

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Separate to the requirements of the standard conditions, the holder of the environmental authority must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act. For example, the holder must be aware of the following provisions of the *Environmental Protection Act 1994* which may apply unless the environmental harm is authorised by the conditions of the environmental authority.

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- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

It is not an offence not to comply with the general environmental duty. However, maintaining your general environmental duty is a defence against the following acts:

- (a) an act that causes serious or material environmental harm or an environmental nuisance
- (b) an act that contravenes a noise standard
- (c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG.

More information is available on the Department of Environment and Heritage Protection (EHP) website www.ehp.qld.gov.au.

Duty to notify

Section 320 of the *Environmental Protection Act 1994* explains the duty to notify. The duty to notify applies to all persons and requires a person or company to give notice where serious or material environmental harm is caused or threatened. Notice must be given of the event, its nature and the circumstances in which the event happened. Notification can be verbal, written or by public notice depending on who is notifying and being notified.

The duty to notify arises where:

- a person carries out activities or becomes aware of an act of another person arising from or connected to those activities which causes or threatens serious or material environmental harm
- while carrying out activities a person becomes aware of the happening of one or both of the following events:
 - the activity negatively affects (or is reasonably likely to negatively affect) the water quality of an aquifer
 - the activity has caused the unauthorised connection of two or more aquifers.

For more information on the duty to notify requirements refer to the guideline 'Duty to notify of environmental harm' (EM467).

Screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16)

Some relevant offences under the *Environmental Protection Act 1994*

Non-compliance with a condition of an environmental authority (section 430)

Section 430 of the *Environmental Protection Act 1994* requires that a person who is the holder of, or is acting under, an environmental authority must not wilfully contravene, or contravene a condition of the authority.

Environmental authority holder responsible for ensuring conditions complied with (section 431)

Section 431 of the *Environmental Protection Act 1994* requires that the holder of an environmental authority must ensure everyone acting under the authority complies with the conditions of the authority. If another person acting under the authority commits an offence against section 430, the holder also commits an offence, namely, the offence of failing to ensure the other person complies with the conditions.

Causing serious or material environmental harm (sections 437–39)

Material environmental harm is when the harm is not trivial or negligible in nature. Serious environmental harm is harm that is irreversible, of a high impact or widespread, or that is caused to an area of high conservation value or special significance. Damages, or costs required to rehabilitate the environment, of more than \$5000 also constitute serious environmental harm.

Serious or material environmental harm excludes environmental nuisance.

Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the *Environmental Protection Act 1994*.

It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

Placing a contaminant where environmental harm or nuisance may be caused (section 443)

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

Some of the relevant offences under the *Waste Reduction and Recycling Act 2011*

Littering (section 103)

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 litres or more) at a place. Illegal dumping can also include abandoned vehicles.

Relevant offence under the Environment Protection (Waste Management) Regulation 2000

Trackable waste to be given only to licensed transporter (section 41)

A generator of trackable waste must not give the waste to another person to transport it commercially, or in a load of more than 250 kilograms, in a vehicle unless the other person holds, or is acting under, the required authority for transporting the waste in the vehicle.

Responsibilities under other legislation

An environmental authority pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for the activity that might be required by other state and/or Commonwealth legislation. Other legislation for which a permit may be required includes but is not limited to the:

- *Aboriginal Cultural Heritage Act 2003*
- contaminated land provisions of the *Environmental Protection Act 1994*
- *Fisheries Act 1994*
- *Forestry Act 1959*
- *Nature Conservation Act 1992*
- *Petroleum and Gas (Production and Safety) Act 2004 / Petroleum Act 1923*
- *Queensland Heritage Act 1992*
- *Sustainable Planning Act 2009*
- *Water Supply (Safety and Reliability) Act 2008*
- *Water Act 2000*.

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.