

Section 3.3.17
Integrated Planning Act 1997

EPA Permit¹ number:	IPCE00245904B21
Assessment Manager reference:	
Date application received by EPA:	15-DEC-2004
Permit¹ Type:	Concurrence Response for a MCU involving an ERA
Date of Decision:	22 December 2004
Decision:	Granted in Full with Conditions
Relevant Laws and Policies:	Environmental Protection Act 1994 and any subordinate legislation
Jurisdiction:	Item 1 in Table 2 of Schedule 2 of the Integrated Planning Regulation 1998

Permit¹ Holder Details

Holder Type:
Principal Holder

Name:
Queensland Cement Limited

Registered Address:
QUEENSLAND CEMENT LIMITEDLANDING ROAD, FISHERMANS LANDINGGLADSTONE QLD 4680

Postal Address:
PO BOX 285GLADSTONE QLD 4680

Development Description

Property/Location

Lot/Plan:
Lot 101 Plan SP108924, Lot 102 Plan SP108926

Aspect of Development:
ERA 45 Crushing, milling or grinding - processing products (other than agricultural products and materials mentioned in Item 22) including, for example, uncured rubber and chemicals, by crushing or grinding or milling in works having a design production capacity of 5 000 t or more a year.
ERA 6(c) Chemical manufacturing, processing or mixing - manufacturing or processing an inorganic chemical, organic chemical or chemical product, or mixing inorganic chemicals, organic chemicals or chemical products (other than mixing non-combustible or non-flammable chemicals or chemical products by dilution with water), in a plant or works having a design production capacity of - 100 000 t or more a year.
ERA 7(b) Chemical storage - storing chemicals (other than crude oil, natural gas and petroleum products), including ozone depleting substances, gases, dangerous goods under the dangerous goods code in containers having a design storage volume of more than 1 000 m³.

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Reasons for inclusion of development conditions

In accordance with section 3.3.18(7) of the Integrated Planning Act 1997 and section 27B of the Acts Interpretation Act 1954, the reasons for the inclusion of development conditions are:

- 1) The Environmental Protection Agency is a concurrence agency under the Integrated Planning Regulation 1998 for the purposes of the Environmental Protection Act 1994.
- 2) Any development conditions placed on this permit¹ for an environmentally relevant activity are in accordance with section 73B of the Environmental Protection Act 1994.

Additional comments or advice about the application

No additional comments

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Additional information for applicants**Contaminated Land**

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

Environmentally Relevant Activities

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

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

In addition to this permit, the person to carry out the ERA must be a registered operator under the Environmental Protection Act 1994. For the person to become a registered operator, they must apply for a registration certificate under section 73F of the Environmental Protection Act 1994.



Cliff Jones
Delegate
Environmental Protection Agency

22-DEC-2004

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Environmental Protection Agency

www.epa.qld.gov.au ASN# 221 169 786



Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Attachment - Tables

Table 1 - Release of contaminants to air

Release point number	Minimum release height (metres)	Minimum velocity (m/sec)	Contaminant release	Release limit 24hr Average (mg/Nm ³)	Sampling frequency
K1 Main Stack (411-BF1)	125	18	Particulates	100	Continuous
K1 Main Stack	125	18	Oxides of Nitrogen	1200	Continuous

Schedule B Table 2

Release point number
Storage Bin (451-BF1)
Transfer Point (4C1-BF1)
Transfer Point (4C1-BF2)
Transfer Point (4C1-BF3)
Transfer Point (4C1-BF4)
Transfer Point (4C1-BF5)
Transfer Point (4C1-BF6)
Silo Extraction and Crushing (612-BF1)
Product Dispatch (633-BF1)

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CONDITIONS OF APPROVAL

Agency Interest: **General**

General 1: Prevent and /or minimise likelihood of environmental harm

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

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

General 2: Maintenance of measures, plant and equipment

The holder must:

- install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and
- maintain such measures, plant and equipment in a proper and efficient condition; and
- operate such measures, plant and equipment in a proper and efficient manner.

General 3: Records

Any record required to be kept by a condition of this environmental authority must be kept at the licensed place and be available for examination by an authorised person for a minimum of five years.

General 4: Copies of any record required to be kept by a condition of this environmental authority must be provided to any authorised person or the administering authority on request.

Agency Interest: **Air**

Air 1: Nuisance

The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not

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cause a nuisance at any odour sensitive place.

Air 2: The release of contaminants to the atmosphere

The release of contaminants to the atmosphere from a point source must only occur from those release points identified in Table 1 and must be directed vertically upwards without any impedence or hindrance.

Air 3: Contaminants must be released to the atmosphere from a release point at a height and a flow rate not less than the corresponding height and velocity stated for that release point in Table 1.

Air 4: Contaminants must not be released to the atmosphere from a release point at a mass emission rate/concentration, as measured at a monitoring point, in excess of that stated in Table 1 and monitored not less frequently than mentioned in Table 1.

Air 5: When requested by the Administering Authority, contaminant monitoring and recording must be undertaken to investigate any complaint of contamination, and the results notified within 14 days to the administering authority. If you can provide evidence through monitoring that the limits in Table 1 are not being exceeded then you shall not be in breach of condition Air 4 with regards to any release of the contaminants listed in Schedule B Table 1. When monitoring is requested the following must be complied with:

- monitoring provisions for the release points listed in Table 1 must comply with the Australian Standard AS 4323.1 - 1995 'Stationary source emissions Method 1: Selection of sampling positions'.
- the following tests must be performed for each required determination specified in Table 1:
 - gas velocity and volume flow rate;
 - temperature
 - water vapour concentration (moisture content),
 - where practicable samples must be taken when emissions are expected to be at maximum rates.
- during the sampling period the following additional information must be gathered:
 - production rate at the time of sampling;
 - raw materials used;
 - number of equipment and mixing vessels operating;
 - operating or mixing temperature;
 - product made; and

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- reference to the actual test methods and accuracy's.

Air 6: Other Release Points

Particulates must not be released to the atmosphere from a release point mentioned in Table 2 without continuous treatment through an appropriate control, for example a baghouse.

Air 7: Dust Nuisance

The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place. Excedence of any of the following levels when measured, when requested in condition (Air 9), at any dust sensitive place is an environmental nuisance for the purposes of condition (Air 7).

Air 8:

- Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991; or
- A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometer (um) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a dust sensitive place downwind of the site, when monitoring in accordance with;
- Australian Standard AS 3580.9.6 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sample with size selective inlet - Gravimetric method'; or
- Any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the Administering Authority.

Air 9:

- When requested by the Administering Authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the Administering Authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include;
- For a complaint alleging dust nuisance, dust deposition; and
 - For a complaint alleging adverse health effects cause by dust, the concentration per cubic metre of particulate matter with an aerodynamic

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diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24 hour averaging time.

Air 10: The sulphur content in any fuel or blend of fuels burned in industrial fuel burning equipment is not to exceed three percent (3%) by weight.

Agency Interest: Impacts on surrounds

Impacts on surrounds 1: Complaint response

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

Impacts on surrounds 2:

In consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the site specifically, or the industrial estate where the site is located.

Impacts on surrounds 3:

Incident recording

A record must be maintained of events including but not limited to:

1. time, date and duration of pollution equipment where the failure of such equipment may result in serious or material environmental harm or environmental nuisance; and
2. shut downs of the kiln, baghouses or other pollution control equipment; and
3. monitoring and results of investigation conducted in response to the incident.

Impacts on surrounds 4:

An incident mentioned in (Impact on Surrounds 3) must be reported to the Administering Authority if the incident causes or is likely to cause environmental harm.

Agency Interest: Land

Land 1: Preventing contaminant release to land

Contaminants must not be released to land.

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Land 2: Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

Agency Interest: Noise

Noise 1: Noise nuisance

Noise from activities must not cause an environmental nuisance at any noise affected premises.

Noise 2: Noise monitoring

When requested by the Administering Authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:

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

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

Agency Interest: Waste

Waste 1: Waste Management Plan (WMP)

The holder of this environmental authority must develop a Waste Management Plan which addresses, as far as practicable:

- a) auditing procedures and programme dates; and

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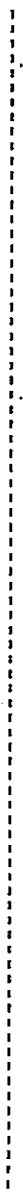
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- b) prevention of waste; and
- c) treatment of waste; and
- d) disposal of waste; and

Agency Interest: Water

Water 1: The holder of this environmental authority must develop a stormwater management plan which addresses, as far as practicable:

1. Avoidance and minimisation of stormwater contamination; and
2. Audit plans, including water sampling; and
3. Reuse, treatment and disposal of contaminated stormwater.



Attachment – Definitions

Words and phrases used throughout this permit¹ are defined below. Where a definition for a term used in this permit¹ is sought and the term is not defined within this permit¹ the definitions provided in the relevant legislation shall be used.

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

"annual return" means the return required by the annual notice (under section 316 of the *Environment Protection Act 1994*) for the section 73F registration certificate that applies to the development approval.

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

"artificial waterway" means an artificial channel, lake or other body of water. Artificial waterway includes –

- an artificial channel that is formed because the land has been reclaimed from tidal water and is intended to allow boating access to allotments on subdivided land;
- other artificial channels subject to the ebb and flow of the tide; and
- any additions or alterations to an artificial waterway.

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

"canal" means an artificial waterway surrendered to the State. A canal is an artificial waterway connected, or intended to be connected, to tidal water; and from which boating access to the tidal water is not hindered by a lock, weir or similar structure.

"clinical waste" means waste that has the potential to cause disease including, for example, the following:

- animal waste;
- discarded sharps;
- human tissue waste;
- laboratory waste.

"coastal dune" means a ridge or hillock of sand or other material on the coast and built up by the wind.

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

"dredge spoil" means material taken from the bed or banks of waters by using dredging equipment or other equipment designed for use in extraction of earthen material.

"dwelling" means any of the following structures or vehicles that is principally used as a residence –

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- a water craft in a marina.

"erosion prone area" means an area declared to be an erosion prone area under section 70(1) of the *Coastal Protection and Management Act 1995*.

"equivalent passenger tyre unit (EPU)" means a unit which allows for the following conversions:

- passenger tyre 1 EPU (9.5kg);
- light and medium commercials 2 EPU (19kg);
- truck and bus tyres 5 EPU (47.5kg);
- earthmoving and agricultural 50 EPU (475kg); and
- large earthmoving 100 EPU (950)kg.

"geotechnical stability of the landfill unit" means a situation where instability related to the excessive settlement and subsidence caused by decomposition and consolidation of the wastes deposited in the landfill unit, and sliding instability of the unit slope has ceased.

"high water mark" means the ordinary high water mark at spring tides.

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"**ignitable, corrosive, reactive or toxic materials**" are materials as defined in the Queensland Government Environmental Protection Agency 'Technical guideline on landfill siting, design, operation and rehabilitation', 2003.

"**infectious waste**" means waste containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.

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

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.
- In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 – 1997 Acoustics – Description and Measurement of Environmental Noise Part 2 – Application to Specific Situations.

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

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

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

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

"**landfill facility**" means all contiguous land and structures, other appurtenances, and improvements on the land used or associated with the disposal of waste.

"**landfill unit**" means a discrete area of land or an excavation that receives solid waste.

"**leachate**" means a liquid that has passed through or emerged from, or is likely to have passed through or emerged from, a material stored, processed or disposed of at the licensed place which contains soluble, suspended or miscible contaminants likely to have been derived from the said material.

"**liquid or semi-liquid waste**" means a waste which failed the paint filter liquid test described in the document SW-846 'Test Methods for Evaluation of Solid Wastes Physical/Chemical Methods' published by the United States Environmental Protection Agency, Revision 5, April 1998 or updated version thereof.

"**lower explosive limit**" means the lowest percent by volume of a mixture of explosive gases in air that will propagate a flame at 25°C and atmospheric pressure.

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

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

"**NTU**" means nephelometric turbidity units.

"**nuisance sensitive place**" includes –

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

and includes a place within the curtilage of such a place reasonably used by persons at that place.

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

"**ponded pasture**" means a permanent or periodic pondage of water in which the dominant plant species are pasture species used for grazing or harvesting.

"**protected area**" means –

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

"quarry material" means material on State coastal land, other than a mineral within the meaning of any Act relating to mining. Material includes for example stone, gravel, sand, rock, clay, mud, silt and soil, unless it is removed from a culvert, stormwater drain or other drainage infrastructure as waste material.

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

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

"statistically significant" means when the difference between groups of data is sufficient for a statistical test to reject the *null hypothesis*. For example, a requirement for a statistical test is that you have a minimum of two hypotheses, the null hypothesis and one or more alternative hypotheses. If you have data from two groups of bores (say A = background values and B = values at locations hydraulically down gradient of the landfill unit), and you wish to test whether A is different from B, the *null hypothesis* would be that A and B are from the same population (no significant difference). After performing the statistical test, you will either accept or reject the null hypothesis.

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

"special burial of waste" means a disposal method where earth moving equipment pushes the wastes to the bottom of the working face or into an excavated hole, and immediately covers it with earth or other waste material.

"tidal water" means the sea and any part of a harbour or watercourse ordinarily within the ebb and flow of the tide at spring tides.

"uppermost aquifer" means the geologic formation nearest to the natural ground surface that is an aquifer. The term includes any aquifers that are likely to be hydraulically interconnected with this aquifer within the landfill facility property boundary.

"watercourse" means a river, creek or stream in which water flows permanently or intermittently-

- in a natural channel, whether artificially improved or not; or
- in an artificial channel that has changed the course of the watercourse.

"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.

"50th percentile" means not more than three (3) of the measured values of the quality characteristic are to exceed the stated release limit for any six (6) consecutive samples for a release/monitoring point at any time during the environmental activity(ies) works.

"80th percentile" means not more than one (1) of the measured values of the quality characteristic is to exceed the stated release limit for any five (5) consecutive samples for a sampling point at any time during the environmental activity(ies) works

END OF CONDITIONS

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