

Permit

Environmental Protection Act 1994

Environmental authority EPPR00214213

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

Environmental authority number: EPPR00214213

Environmental authority takes effect on 15-07-2021

Environmental authority holder(s)

Name(s)	Registered address
BEDROCK LANDSCAPE SUPPLIES TOWNSVILLE PTY LTD	67 One Mile Dr GUMLOW QLD 4815 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening 1: Dredging, in a year, the following quantity of material (b) more than 10,000t but not more than 100,000t	Lot 5 on WOU66
ERA 16 - Extraction and Screening 1: Dredging, in a year, the following quantity of material (b) more than 10,000t but not more than 100,000t	Lot 17 on CP898011
ERA 16 - Extraction and Screening 1: Dredging, in a year, the following quantity of material (b) more than 10,000t but not more than 100,000t	Adjacent to Lot 4 on SP112529
ERA 16 - Extraction and Screening 1: Dredging, in a year, the following quantity of material (a) 1000t to 10,000t	Lot 35 on CP894585
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (a) 5,000t to 100,000t	Lot 35 on CP894585

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Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening 1: Dredging, in a year, the following quantity of material (b) more than 10,000t but not more than 100,000t	Adjacent to Lot 4 on RP739387

Additional information for applicantsEnvironmentally relevant activities

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

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

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

Contaminated land

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

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

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

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

Take effect

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

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

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

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

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

Mark Franco
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

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Date issued: 15 July 2021

Obligations under the *Environmental Protection Act 1994*

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

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

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Part 1

Location	Activity
Bed of Torrens Creek- Adjacent to Lot 17 on Plan CP898011, Lot 5 Plan WOU66	ERA16(1b) Dredging, in a year, the following quantity of material—more than 10000t but not more than 100000t

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

Conditions of environmental authority

Agency interest: General	
Condition number	Condition
A1 G1	Prevent and/or minimise likelihood of environmental harm In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and/or to minimise the likelihood of environmental harm being caused.
A1 G2	Maintenance of Measures, Plant and Equipment The operator of an ERA to which this approval relates must: - install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; 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.
A1 G3	Site Based Management Plan From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out. The SBMP must address the following matters: Environmental commitments - a commitment by senior management to achieve

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	specified and relevant environmental goals. b) Identification of environmental issues and potential impacts. c) Control measures for routine operations to minimise likelihood of environmental harm. d) Contingency plans and emergency procedures for non-routine situations. e) Organisational structure and responsibility. f) Effective communication. g) Monitoring of contaminant releases. h) Conducting environmental impact assessments. i) Staff training. j) Record keeping. k) Periodic review of environmental performance and continual improvement.
A1 G4	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
A1 G5	Notification Telephone the EHP's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
A1 G6	Information About Spills A written notice detailing the following information must be provided to EHP within 14 days of any advice provided in accordance with condition A1 G5: a) the name of the operator, including their approval / registration number; b) the name and telephone number of a designated contact person; c) quantity and substance released; d) vehicle and registration details; e) person/s involved (driver and any others); f) the location and time of the release; g) the suspected cause of the release; h) a description of the effects of the release; i) the results of any sampling performed in relation to the release; j) actions taken to mitigate any environmental harm caused by the release; and k) proposed actions to prevent a recurrence of the release.
A1 G7	Spill Kit An appropriate spill kit, personal protective equipment and relevant operator instructions / emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site, and in each vehicle used if the activity is a mobile ERA.

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Agency interest: Air	
Condition number	Condition
A1M	Dust Nuisance The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A2A2	Dust Monitoring 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: a) for a complaint alleging dust nuisance, dust deposition; and b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.
Agency interest: Noise	
Condition number	Condition
A1 N1	Noise Nuisance Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.
A1 N2	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. - Airblast overpressure (dB (Lin) Peak); - LA 10, adj, 10 mins; - LA 1, adj, 10 mins; - The level and frequency of occurrence of impulsive or tonal noise;

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	- Atmospheric conditions including wind speed and direction; - Effects due to extraneous factors such as traffic noise; and - Location, date and time of recording.
A1 N3	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: Social	
Condition number	Condition
A1 S1	Complaint Response The operator of the ERA must record the following details for all complaints received and provide this information to the administering authority on request: a) time, date, name and contact details of the complainant; b) reasons for the complaint; c) any investigations undertaken; d) conclusions formed; and e) any actions taken.
Agency interest: Water	
Condition number	Condition
A1 WA1	Release To Waters Contaminants must not be released from the site to any waters or the bed and banks of any waters.

Part 2

Location	Activity
Bed of the Star River Dotswood - AMTD 23.0 to 24.0 Km- Adjacent to Lot 4 on Plan SP112529	16(1b) Dredging, in a year, the following quantity of material- more than 10000t but not more than 100000t

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

Agency interest: General	
Condition number	Condition
G1	Prevent and/or minimise likelihood of environmental harm In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and/or to minimise the likelihood of environmental harm being caused.
G2	Maintenance of Measures, Plant and Equipment The operator of an ERA to which this approval relates must: a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and b) maintain such measures, plant and equipment in a proper and efficient condition; and c) operate such measures, plant and equipment in a proper and efficient manner.
G3	Notification Telephone the EHP's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
G4	Site Based Management Plan From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out.

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	The SBMP must address the following matters: a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals. b) identification of environmental issues and potential impacts. c) Control measures for routine operations to minimise likelihood of environmental harm. d) Contingency plans and emergency procedures for non-routine situations. e) Organisational structure and responsibility. f) Effective communication. g) Monitoring of contaminant releases. h) Conducting environmental impact assessments. i) Staff training. j) Record keeping. k) Periodic review of environmental performance and continual improvement.
G5	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
G6	Records Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
G7	Information About Spills A written notice detailing the following information must be provided to the EHP within 14 days of any advice provided in accordance with condition G3: a) the name of the operator, including their approval / registration number; b) the name and telephone number of a designated contact person; c) quantity and substance released; d) vehicle and registration details; e) person/s involved (driver and any others); f) the location and time of the release; g) the suspected cause of the release; h) a description of the effects of the release; i) the results of any sampling performed in relation to the release; j) actions taken to mitigate any environmental harm caused by the release; and k) proposed actions to prevent a recurrence of the release.
G8	Spill Kit An appropriate spill kit, personal protective equipment and relevant operator instructions /

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	emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site, and in each vehicle used if the activity is a mobile ERA.
Agency interest: Air	
Condition number	Condition
A1	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: a) for a complaint alleging dust nuisance, dust deposition; and b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.
A2	Nuisance The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive or commercial place.
A3	Dust Nuisance The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.
Agency interest: Noise	
Condition number	Condition
N1	Noise Nuisance Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

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N2	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.
N3	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: Social	
Condition number	Condition
S1	Complaint Response The operator of the ERA must record the following details for all complaints received and provide this information to the administering authority on request: a) time, date, name and contact details of the complainant; b) reasons for the complaint; c) any investigations undertaken; d) conclusions formed; and e) any actions taken.
Agency interest: Water	
Condition number	Condition
W1	Contaminants other than settled/treated stormwater runoff waters must not be released from the site to surface waters or the bed or banks of surface waters.

Part 3

Location	Activity
Herveys Range Development Road - Lot 35 on Plan CP894585	16(1a) Dredging, in a year, the following quantity of material—more than 1000t but not more than 10000t 16(3a) Screening, in a year, the following quantity of material-5000t to 100000t

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

Agency interest: Activity	
Condition number	Condition
A1-1	Prevent and/or minimise likelihood of environmental harm In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken 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.
A2-1	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.
A3-1	Site Based Management Plan From commencement of the activity, a Site Based Management Plan (SBMP) must be

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	implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all Environmentally Relevant Activities that are carried out. The site based management plan must address the following matters: a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals. b) Identification of environmental issues and potential impacts. c) Control measures for routine operations to minimise likelihood of environmental harm. d) Contingency plans and emergency procedures for non-routine situations. e) Organisational structure and responsibility. f) Effective communication. g) Monitoring of contaminant releases. h) Conducting environmental impact assessments. i) Staff training. j) Record keeping. k) Periodic review of environmental performance and continual improvement.
A6-3	Dredging The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.
Agency interest: Air	
Condition number	Condition
B2-1	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.
Agency interest: Water	
Condition number	Condition
C2-1	Erosion protection measures and sediment controls

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	Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
C2-2	Stormwater management There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.
Agency interest: Noise and Vibration	
Condition number	Condition
D1-1	Noise nuisance Noise from activities must not cause an environmental nuisance at any noise affected premises.
Agency interest: Waste	
Condition number	Condition
E5-1	Waste handling All regulated waste removed from the site must be removed by a person who holds a current approval to transport such waste under the provisions of the <i>Environmental Protection Act 1994</i> .
Agency interest: Land	
Condition number	Condition
F1-1	Land rehabilitation The authorised place must be rehabilitated (including all disturbed areas such as slopes, borrow pits, stockpile and screening areas) in a manner such that: a) suitable native species of vegetation are planted and established; b) potential for erosion of the site is minimised; c) the likelihood of environmental nuisance being caused by release of dust is minimised;

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	d) the water quality of any residual water bodies meets criteria for subsequent uses and does not have potential to cause environmental harm; e) the final landform is stable and not subject to slumping.
F1-2	Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of extraction are commenced.
F3-1	Preventing contaminant release to land Contaminants must not be released to land.
F3-2	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: Community	
Condition number	Condition
G1-1	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.
G1-2	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.

Part 4

Location	Activity
Bed of Torrens Creek- Adjacent to Lot 4 Plan RP739387	16(1b) Dredging, in a year, the following quantity of material—more than 10000t but not more than 100000t

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

Agency interest: Activity	
Condition number	Condition
G1	Prevent and/or minimise likelihood of environmental harm In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and/or to minimise the likelihood of environmental harm being caused.
G2	Maintenance of Measures, Plant and Equipment The operator of an ERA to which this approval relates must: a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and b) maintain such measures, plant and equipment in a proper and efficient condition; and c) operate such measures, plant and equipment in a proper and efficient manner.
G3	Site Based Management Plan From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out. The site based management plan must address the following matters: a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals. b) Identification of environmental issues and potential impacts. c) Control measures for routine operations to minimise likelihood of environmental

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	harm. d) Contingency plans and emergency procedures for non-routine situations. e) Organisational structure and responsibility. f) Effective communication. g) Monitoring of contaminant releases. h) Conducting environmental impact assessments. i) Staff training. j) Record keeping. k) Periodic review of environmental performance and continual improvement.
G4	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
G5	Notification Telephone the EHP's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
G6	Information About Spills A written notice detailing the following information must be provided to the EPA within 14 days of any advice provided in accordance with condition General 5: a) the name of the operator, including their approval/registration number; b) the name and telephone number of a designated contact person; c) quantity and substance released; d) vehicle and registration details; e) person/s involved (driver and any others); f) the location and time of the release; g) the suspected cause of the release; h) a description of the effects of the release; i) the results of any sampling performed in relation to the release; j) actions taken to mitigate any environmental harm caused by the release; and k) proposed actions to prevent a recurrence of the release.
G7	Spill Kit An appropriate spill kit, personal protective equipment and relevant operator instructions / emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site, and in each vehicle used if the activity is a mobile ERA.

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Agency interest: Air	
Condition number	Condition
A1	Dust nuisance The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A2	Dust Monitoring 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: a) for a complaint alleging dust nuisance, dust deposition; and b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.
Agency interest: Noise	
Condition number	Condition
N1	Noise Nuisance Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.
N2	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. - Airblast overpressure (dB (Lin) Peak); - LA 10, adj, 10 mins; - LA 1, adj, 10 mins; - The level and frequency of occurrence of impulsive or tonal noise;

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	- Atmospheric conditions including wind speed and direction; - Effects due to extraneous factors such as traffic noise; and - Location, date and time of recording.
N3	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: Social	
Condition number	Condition
S1	Complaint Response The operator of the ERA must record the following details for all complaints received and provide this information to the administering authority on request: a) time, date, name and contact details of the complainant; b) reasons for the complaint; c) any investigations undertaken; d) conclusions formed; and e) any actions taken.
Agency interest: Water	
Condition number	Condition
W1	Release To Waters Contaminants must not be released from the site to any waters or the bed and banks of any waters.

Definitions

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

"Administering authority" means the Department of Environment and Resource Management or its successor.

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

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

"Approved plans" means the plans and documents listed in the approved plans section in the notice attached to this development approval.

"Australian height datum (AHD)" means the datum used to determine elevations in Australia. The AHD is based on mean sea level being zero elevation.

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

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

"Contaminant" means (section 11 of the *Environmental Protection Act 1994*)-

- a gas, liquid or solid; or
- an odour; or
- an organism (whether dead or alive, including a virus; or
- energy, including noise, heat, radioactivity and electromagnetic radiation; or
- a combination of contaminants

"Department of Environment and Resource Management" means the department or agency (whatever called) administering the *Coastal Protection and Management Act 1995* or the *Environmental Protection Act 1994*.

"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.

"Environmental Protection Agency" means the department or agency (whatever called) administering the *Coastal Protection and Management Act 1995* or the *Environmental Protection Act 1994*.

"Environmental nuisance" means (section 15 of the *Environmental Protection Act 1994*) unreasonable interference or likely interference with an environmental value caused by:

- (a) aerosols, fumes, light, noise, odour, particles or smoke; or
- (b) an unhealthy, offensive or unsightly conditions because of contamination; or
- (c) another way prescribed by regulation (e.g. unreasonable noise or dust emissions).

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

"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.

"LA 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.

"LA 90, 6 mins" means the average maximum A-weighted sound pressure level exceeded for 90% of any 15 minute measurement period, using fast response.

"LA adj, 15 mins" means the average maximum A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1 % of any 15 minute measurement period, using fast response.

"LA max, adj, 15 mins" means the average maximum A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) for a 15 minute measurement period, using fast response.

"Land" means land excluding waters and the atmosphere.

"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 site; or

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

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

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

"Operator" means any of the following:

- (i) a person having the benefit of this development permit
- (ii) the holder of a registration certificate for this development permit
- (iii) anyone undertaking the activity to which this development permit relates (Note: It is an offence to carry out work under a development permit without a relevant registration certificate).

"Protected area" means-

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

"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.

"Site" means land or tidal waters on or in which it is proposed to carry out the development approved under this development permit.

"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.

"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.

"Works" or "operation" means the development approved under this development permit.

"You" means, the holder of this development permit or owner/occupier of the land which is the subject of this development permit.

END OF ENVIRONMENTAL AUTHORITY