

# Registration certificate

*Environmental Protection Act 1994*

## Certificate of Registration

**No: ENRE00762908**

This amended registration certificate is issued by the administering authority and takes effect from: 25 January 2010.

The anniversary day for the purposes of the Annual Return remains: 7 January.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity listed below at the following place; subject to the conditions set out in a development approval attached to the premises, or the relevant code of environmental compliance.

**Registered Operator:-**

**Hegira Limited**

**c/- Phipson Nominees Pty Ltd Level 9**

**National Mutual Centre 15 London Circuit**

**CANBERRA ACT 2601**

**Development Approval Number: IPDE00920508**

**Place:-**

**Lot 186 Plan CG839070**

**Located at:-**

**Sunderland Drive, BANKSIA BEACH QLD 4507**

**Registered Activity/ies: -**

**ERA 16 Extractive and screening activities Threshold 1(a) - dredging, in a year, 1000t to 10000t of material**



Delegate

Administering authority

Environmental Protection Act 1994

25-JAN-2010

# Development Permit

|                                                         |                                                                          |
|---------------------------------------------------------|--------------------------------------------------------------------------|
| <b>EPA Permit<sup>1</sup> number:</b>                   | IPDE00920508                                                             |
| <b>Application (Converted development approval) No.</b> | SR1424                                                                   |
| <b>Relevant Laws and Policies:</b>                      | <i>Environmental Protection Act 1994</i> and any subordinate legislation |

## Development Description

### Property/Location

Lot 186 on Plan CG839070, County of Canning, Parish of Woorim.

**located at:** Sunderland Drive  
BANKSIA BEACH QLD 4507.

## Carrying out of Environmentally Relevant Activity (ERA)

**19(a) Dredging material** - Dredging material from the bed of any waters (other than dredging by a port authority of material for which a royalty or similar charge is not payable) using plant or equipment having a design capacity of not more than 5 000 t per year

## Additional information for Applicants

This approval pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any further approval for this development which might be required by other State and / or Commonwealth Legislation. Applicants are advised to check with all relevant statutory authorities. Applicants also should comply with all relevant legislation.

It is a requirement of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware a notifiable activity (as defined under schedule 2 of the *Environmental Protection Act 1994*) is being carried out on this 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.

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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*.

Delegate of Administering Authority  
*Environmental Protection Act 1994*

Date:

## Conditions of the Development Approval

This development approval consists of the following schedules of conditions relevant to various issues:  
The aforementioned description of the environmentally relevant activity (ERA) for which this development approval is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing the approval. Where there is any conflict between the above description of the ERA for which this development approval is issued and the conditions as specified in this development approval as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This development approval consists of the following schedules-

Schedule A – General Conditions

Schedule B - Air

Schedule C – Water

Schedule D – Stormwater Management

Schedule E – Land Application

Schedule F - Noise

Schedule G – Waste Management

Schedule H – Self Monitoring and Reporting

Schedule I – Definitions

Schedule J – Site Plans

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## **SCHEDULE A – GENERAL CONDITIONS**

The following conditions are prescribed:

### **Display of Development Approval**

- (A1) A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

### **Records**

- (A2) Any record or document required to be kept by a condition of this development approval must be kept at the approved place for a period of at least three (3) years and be available for examination by an authorised person.

### **Dredging**

- (A3) Dredging must only be carried out in the approved area marked in Schedule J of this environmental Authority
- (A4) The only material to be dredged is that which constitute construction bunds between existing flooded canal sections and newly constructed dry canal sections

### **Site Based Management Plan**

- (A5) The registered operator of this development approval must develop an effective and appropriate Site-based Management Plan which details how the registered operator of this development approval will manage the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activity.

### **Cease Activities in Event of Material or Serious Environmental Harm Occurring**

- (A6) The registered operator of this development approval must cease the environmentally relevant activity immediately the registered operator becomes aware of material environmental harm or serious environmental harm occurring as a result of carrying out the said activity.

### **Acid Sulphate Soils**

- (A7) Any Acid Sulphate Soils (ASS) disturbed, extracted or unearthed as a result of carrying out the environmentally relevant activity must immediately be placed in a submerged state below the permanent water table or treated at the appropriate rate to neutralise all acid generating material. Any treatment of ASS must be as per the "Guidelines for Sampling and Analysis of Lowland Acid Sulphate Soils (ASS) in Queensland 1998" by Ahern, Ahern and Powell or more recent additions or supplements to that document as become available.

**End of Conditions for Schedule A**

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## SCHEDULE B – AIR

The following conditions are prescribed:

- (B1) Dust or particulate matter that will have or is likely to have an adverse effect on people living in or using the surrounding area must not be permitted to emanate beyond the boundaries of the approve place.

### End of Conditions for Schedule B

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## SCHEDULE C – WATER

The following conditions are prescribed:

### Quality Characteristics of Release of Contaminants to Waters

- (C1) The environmentally relevant activity must be carried out in such a manner that any release of contaminants caused by dredging activity must:
- (i) be minimised to the greatest practicable extent; and
  - (ii) not produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum or litter.
- (C2) Dredging of material and any placement of spoil must be carried out such that all limits for all quality characteristics listed in Table 1 of Schedule C are complied with.

**Table 1: Quality Characteristics of Releases of Contaminants to waters**

| QUALITY CHARACTERISTIC | LIMIT AT ANY DOWN-STREAM POINT                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Suspended Solids       | At the Impact Monitoring Point must not exceed 50 mg/L or be 10 percent greater than that at the Background Sampling Site, whichever is the greater                                                                                                                                                                                                                                                                                                                                |
| Turbidity (NTU)        | At the Impact Monitoring Point must not exceed 25 NTU or be 10 percent greater than that at the Background Sampling Site whichever is the greater.                                                                                                                                                                                                                                                                                                                                 |
| pH                     | In cases where the measured pH value at the Background Sampling Site is less than 6.5 or more than 9.0, the pH value at the Impact Site must not be less than 0.2 pH below nor more than 0.2 pH units above measured pH value at the Background Sampling Site.<br><br>In cases where the measured pH value at the Background Sampling Site is not less than 6.5 or not more than 9.0, the pH value at the Impact Monitoring Point must be not less than 6.5 and not more than 9.0. |
| Dissolved Oxygen       | Dissolved Oxygen, measured in milligrams per litre, must be 6 milligrams per litre or equal to the value at the Background Sampling Site, whichever is least.                                                                                                                                                                                                                                                                                                                      |

For the purposes of this condition:

- (i) an Impact Monitoring Point is the release point immediately downstream of the silt curtain that is installed prior to removal of the construction bunds. The Impact Site will change with each new canal stage constructed;
- (ii) Background Sampling Sites are located at the conflux of Skippers Canal and the existing canal, the conflux of the existing canal and Pumicestone Passage and the upstream as depicted iSchedule J; and

### Release of Petroleum Products

- (C3) There must be no release of petroleum products from any dredging equipment to any waters.
- (C4) Fuel, oil and other petroleum products used in the dredging activity must not be stored at the approved site.

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### Maintenance and Clean-up

(C5) The maintenance and cleaning of vehicles and any other earthmoving or dredging equipment must be carried out in areas from where contaminants cannot be released into any waters.

### End of Conditions for Schedule C

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## SCHEDULE D – STORMWATER MANAGEMENT

No conditions are prescribed under this schedule.

**End of Conditions for Schedule D**

## SCHEDULE E – LAND APPLICATION

The following conditions are prescribed:

### Release of Contaminants to Land

- (E1) The environmentally relevant activity must be carried out by such practicable means necessary to prevent the release or likelihood of release of contaminants to land.

**End of Conditions for Schedule E**

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## SCHEDULE F – NOISE

The following conditions are prescribed:

### Emission of Noise

- (F1) In the event of a complaint about noise that constitutes unreasonable intrusive noise being made to the administering authority, that the administering authority considers is not frivolous or vexatious, then the emission of noise from the approved premises to which this development approval relates must not result in levels greater than those specified in Schedule F Table 1.

**SCHEDULE F - TABLE 1**

| <b>NOISE LIMITS AT A NOISE SENSITIVE PLACE</b> |                                                                                                                                       |
|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| <i>Period</i>                                  | <i>Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level<br/><math>L_{Amax\ adj, T}</math></i> |
| 7 am - 6 pm                                    | Background noise level plus 5 dB(A)                                                                                                   |
| 6 pm - 10 pm                                   | Background noise level plus 5 dB(A)                                                                                                   |
| 10 pm - 7 am                                   | Background noise level plus 3 dB(A)                                                                                                   |
| <b>NOISE LIMITS AT A COMMERCIAL PLACE</b>      |                                                                                                                                       |
| <i>Period</i>                                  | <i>Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level<br/><math>L_{Amax\ adj, T}</math></i>      |
| 7 am - 6 pm                                    | Background noise level plus 10 dB(A)                                                                                                  |
| 6 pm - 10 pm                                   | Background noise level plus 10 dB(A)                                                                                                  |
| 10 pm - 7 am                                   | Background noise level plus 8 dB(A)                                                                                                   |

**End of Conditions for Schedule F**

## SCHEDULE G – WASTE MANAGEMENT

The following conditions are prescribed:

- (G1) Procedures must be implemented to ensure that the wastes generated in carrying out the environmentally relevant activity are disposal of at an appropriate facility that accepts such wastes.
- (G2) The registered operator of this development approval must not:
- (i) burn waste at or on the approved place; nor
  - (ii) allow waste to burn or be burnt at or on the approved place; nor
  - (iii) remove waste from the approved place and burn such waste elsewhere.

### Off Site Movement of Regulated Waste

- (G3) Where regulated waste is removed from the approved place (other than by a release as permitted under another schedule of this development approval), the registered operator of this development approval must monitor and keep records of the following:
- (a) the date, quantity and type of waste removed;
  - (b) name of the waste transporter and/or disposal operator that removed the waste; and
  - (c) the intended treatment/disposal destination of the waste.
- (G4) If the registered operator of this development approval becomes aware that a person has removed regulated waste from the approved place and disposed of the regulated waste in a manner which is not authorised by this development approval or improper or unlawful, then the registered operator of this development approval must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

### End of Conditions for Schedule G

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## SCHEDULE H – SELF MONITORING AND REPORTING

The following conditions are prescribed:

### Complaint Recording

(H1) All complaints received by the registered operator of this development approval relating to releases of contaminants from operations at the approved place must be recorded and kept in a log book with the following details:

- (i) time, date and nature of complaint;
- (ii) type of communication (telephone, letter, personal etc.);
- (iii) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then “Not identified” is to be recorded);
- (iv) response and investigation undertaken as a result of the complaint;
- (v) name of person responsible for investigating complaint; and
- (vi) action taken as a result of the complaint investigation and signature of responsible person.

### Receiving Waters Monitoring

(H2) The registered operator of this development approval must monitor the visual impact of the environmentally relevant activity on the environment by undertaking twice-daily observations and recording of:

- (i) the extent of the turbidity plume caused by dredging and any oil and grease; and
- (ii) the influence of wind and flow conditions on dispersal of the turbidity plume and any oil and grease; and
- (iii) the length of time any oil and grease and the turbidity plume exists after each day's dredging has ceased.

(H3) Monitoring of the receiving waters must start one (1) day prior to the commencement of each dredging activity, with remaining monitoring samples collected when the excavator is operating at the normal extraction rate.

(H4) Monitoring of the receiving waters must be conducted as often as necessary to check compliance with Schedule C, Condition C2 of this development approval but not less frequently than twice per week when the dredging works are occurring.

(H5) Determinations of the quality of contaminants released to receiving waters to check conformity with the release quality characteristics specified in the water schedule of this development approval must be undertaken at the sampling and in situ monitoring point(s) described as:

- (i) a background sampling site as defined in condition C2; and
- (ii) an impact monitoring point as defined in condition C2.

(H6) All Receiving Water Monitoring samples must be sampled from mid depth in the water column

### Quality Assurance: Water Quality Measurements

(H7) All determinations of the quality of contaminants released to waters must be made in accordance with methods prescribed in the Department of Environment and Heritage Water Quality Sampling Manual, 2nd Edition, February 1995, or more recent additions or supplements to that document as such become available.

(H8) All determinations of the quality of contaminants released waters must be performed by a person or body possessing appropriate experience and qualifications to perform the required measurements.

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## Monitoring of Contaminant Releases to the Atmosphere

(H9) Ambient particulate monitoring must be undertaken to investigate any complaint of dust nuisance upon receipt of a request from the administering authority to carry out such monitoring.

(H10) Analysis of the obtained samples must be made for the following:

- (i) total water insoluble dust in milligrams; and
- (ii) dust fallout in milligrams/square metre/day.

(H11) The samples must be collected and analysed in accordance with the requirements "Australian Standard

AS3580.10.1 - 1991 for Ambient Air - Particulate Matter".

(H12) Records must be kept of the results of all monitoring of particulate in ambient air for a period of at least three (3) years.

## Noise Monitoring

(H13) The measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.

(H14) For the purposes of investigation of complaint of noise annoyance and for checking compliance with condition F1 of the noise schedule F, the monitoring and recording of the noise levels from the environmentally relevant activity must be undertaken for at least the following descriptors, characteristics and conditions:

- (i) LA<sub>max</sub>, adj, T;
- (ii) LA<sub>bg</sub>, T (or LA<sub>90</sub>, T);
- (iii) LAN, T (where N equals statistical levels of one(1), ten(10), fifty(50), ninety(90) and ninety-nine(99);
- (iv) Max LpA T;
- (v) LA<sub>eq</sub>, T;
- (vi) the level and frequency of occurrence of impulsive or tonal noise;
- (vii) atmospheric conditions including temperature, relative humidity and wind speed and direction;
- (viii) effects due to extraneous factors such as traffic noise; and
- (ix) location, date and time of recording.

(H15) Noise monitoring must be undertaken to investigate any complaint of noise annoyance upon receipt of a written request from the administering authority to carry out such monitoring.

(H16) The method of measurement and reporting of noise levels must comply with the Department of Environment and Heritage Noise Measurement Manual, Second Edition, March 1995, or more recent additions or supplements to that document as become available.

## Report Submission

(H17) Not more than six (6) weeks following the cessation of the environmentally relevant activity, the registered operator of this development approval must submit a report detailing the management practices adopted and provide all monitoring results with respect to the receiving waters monitoring program, dust or noise monitoring, confirmatory testing of contamination levels of dredged material, site rehabilitation and environmental impact monitoring program.

## Notification of Emergencies and Incidents

(H18) As soon as practicable after becoming aware of any emergency or incident which results in the release

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of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this development approval, the registered operator of this development approval must notify the administering authority of the release by telephone or facsimile.

(H19) The notification of emergencies or incidents as required by condition number H18 must include but not be limited to the following:

- (i) the registered operator of the development approval;
- (ii) the location of the emergency or incident;
- (iii) the number of the development approval;
- (iv) the name and telephone number of the designated contact person;
- (v) the time of the release;
- (vi) the time the registered operator of the development approval became aware of the release;
- (vii) the suspected cause of the release;
- (viii) the environmental harm and or environmental nuisance caused, threatened, or suspected to be caused by the release; and
- (ix) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(H20) Not more than fourteen (14) days following the initial notification of an emergency or incident, the registered operator of the development approval must provide written advice of the information supplied in accordance with condition number H19 in addition to:

- (i) proposed actions to prevent a recurrence of the emergency or incident;
- (ii) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
- (iii) the results of any environmental monitoring performed.

(H21) Not more than six (6) weeks following the conduct of any environmental monitoring performed in relation to the emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this development approval, the registered operator of the development approval must provide written advice of the results of any such environmental monitoring performed.

### **Exception Reporting**

(H22) The registered operator of this development approval must, as soon as practicable following receipt of a monitoring result which indicates an exceedence of any development approval limit, notify the administering authority by facsimile.

(H23) Not more than fourteen (14) days following initial notification of an exceedence of any development approval limit, the registered operator of this development approval must provide written notification that must include:

- (i) the full analysis results;
- (ii) details of investigation or corrective actions taken; and
- (iii) any subsequent analysis.

(H24) Notwithstanding the reporting requirements in condition H23 of Schedule H, the results and interpretation of the results for all monitoring undertaken during the first week of commencing the environmentally relevant activity must be provided to the administering authority in a report within seven (7) days after analysis.

### **End of Conditions for Schedule H**

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## SCHEDULE I – DEFINITIONS

Words and phrases used throughout this development approval.

Some of the words and phrases used throughout this development approval are defined below:

(I1) “**Act**” means the *Environmental Protection Act 1994*.

(I2) “**administering authority**” means the Environmental Protection Agency or its successor.

(I3) “**background noise level**” means either:

LA90, T being the A-weighted sound pressure level exceeded for ninety percent (90%) of the time period (T) of not less than fifteen (15) minutes, using Fast response, or

LAbg, T being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period (T) of not less than fifteen (15) minutes, using Fast response.

(I4) “**commercial place**” means a place used as an office or for business or commercial purposes.

(I5) “**intrusive noise**” means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration –

- (a) is clearly audible to, or can be felt by, and individual; and
- (b) annoys the individual.

In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be had to Australian Standard 1055.2 - 1989 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations.

(I6) “**L<sub>Amax</sub> adj, T**” means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period (T) of not less than fifteen (15) minutes, using Fast response.

(I7) “**land**” in the “land schedule” of this development approval means land excluding waters and the atmosphere.

(I8) “**mg/L**” means milligrams per litre.

(I9) “**noise sensitive place**” means:

- (a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or
- (b) a motel, hotel or hostel; or
- (c) a kindergarten, school, university or other educational institution; or
- (d) a medical centre or hospital; or
- (e) a protected area; or
- (f) a park or gardens.

(I10) “**NTU**” means nephelometric turbidity units.

(I11) “**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 any under ground water, any part-there-of.

### End of Conditions for Schedule I

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## SCHEDULE J – SITE PLANS

No conditions are prescribed under this Schedule

**End of Conditions for Schedule J**

## END OF CONDITIONS

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