

Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00109904

This registration certificate is issued by the administering authority and takes effect from: 10-NOV-2010.

The anniversary day for the purposes of the Annual Return remains: 5 November.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities 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:-

Global Sandstone Industries Pty Ltd
107 Monaco Street
BROADBEACH QLD 4218

Place:-

Lot 1308 Plan CA31399

Located at:-

Paradise Creek Road, MURPHYS CREEK QLD 4352

Registered Activities:-

ERA 16 Extractive and screening activities Threshold 2(b) - extracting, other than by dredging, in a year, 5000t to 100000t of material

ERA 16 Extractive and screening activities Threshold 3(a) - screening, in a year, 5000t to 100000t of material.



John Rice

Delegate of the Chief Executive
Department of Environment and Resource Management
10-NOV-2010

Concurrence Agency Response

This notice is issued by the Environmental Protection Agency pursuant to Sections 3.3.16 and 3.3.18 of the Integrated Planning Act 1997 to advise of a decision or action.

Gatton Shire Council
PO Box 82
CATTON QLD 4343

CC: Mr Barry Clark and Mr Mark Bexton
C/- Ecoroc Pty Ltd
PO Box 684
LABRADOR QLD 4215

Our reference: 246096

Attention: Tracy Ryan

Dear Ms Ryan

Re: Referral for Concurrence Agency Response

The Environmental Protection Agency (EPA), wishes to advise that the referral for a concurrence agency response, received on 18-OCT-2005, has been assessed, and on 03-JUL-2006 it was approved subject to conditions.

1. Property/Location:

Street address - Paradise Creek Road MURPHYS CREEK QLD 4352
Lot/Plan - Lot 1308 Plan CA31399

2. Details of the recommendation

Aspect of Development

- Concurrence Response for a MCU involving an ERA

- ERA 20(b) Extracting rock or other material - extracting rock (other than rock mined in block or slab form for building purposes), sand (other than foundry sand), clay (other than clay used for its ceramic properties, kaolin or bentonite), gravel, loam or other material (other than gravel, loam or other material under a mining tenement or petroleum authority) from a pit or quarry using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, a year.

- ERA 22(b) Screening etc. materials - screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining tenement or petroleum authority) or by dredging using plant or equipment having a design capacity of more than 5 000 t, but less than 100 000 t, a year.

EPA Ref Number

- IPCE00309705C11

3. Currency period

This approval will lapse unless substantially started within the standard currency periods stated in section 3.5.21 of the Integrated Planning Act 1997 applying to each aspect of development in this approval.



4. The approved plans

The approved plans and/or documents for this approval are: Nil

5. Codes for self-assessable development

Any self-assessable development for an environmentally relevant activity conducted in conjunction with this approval, must comply with the relevant code of environmental compliance.

6. Assessment Manager Responsibilities

Please note that it is a requirement under Sections 3.5.15 and 3.5.17 of the *Integrated Planning Act 1997* that a copy of the final Decision Notice (which includes the EPA's concurrence response) for this application issued by the , be forwarded to each referral agency. Therefore could you please send a signed hardcopy to the EPA's Ecoaccess Customer Service Unit at PO Box 155, Brisbane Albert Street, 4002 and an electronic copy to eco.access@epa.qld.gov.au.

In addition, the State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. Therefore in this instance, the EPA has not provided a notification to native title parties.

If you require more information, please contact Mark Hilton, the Project Manager, on the telephone number listed below.

Yours sincerely



Andrew Connor
Manager
Environmental Protection Agency

Enquiries:

Southern Regional Office (Brisbane)
GPO Box 2771 BRISBANE QLD 4001
Phone: (07) 3225 1051
Fax: (07) 3225 8723

Development Approval

Section 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

EPA Permit¹ number: IPCE00309705C11

EPA Permit¹ number:	IPCE00309705C11
Assessment Manager reference:	R5145-0-0/DA3808
Date application received by EPA:	18-OCT-2005
Permit¹ Type:	Concurrence Response for a MCU involving an ERA
Date of Decision:	03-JUL-2006
Decision:	Approved with conditions
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i> and any subordinate legislation
Jurisdiction:	Item 1 in Table 2 of Schedule 2 of the <i>Integrated Planning Regulation 1998</i>

Development Description

Property	Lot/Plan	Aspect of Development
Paradise Creek Road MURPHYS CREEK QLD 4352	Lot 1308 Plan CA31399	ERA 22(b) Screening etc. materials - screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining tenement or petroleum authority) or by dredging using plant or equipment having a design capacity of more than 5 000 t, but less than 100 000 t, a year. ERA 20(b) Extracting rock or other material – extracting rock (other than rock mined in block or slab form for building purposes), sand (other than foundry sand), clay (other than clay used for its ceramic properties, kaolin or bentonite), gravel, loam or other material (other than gravel, loam or other material under a mining authority) from a pit or quarry using plant or equipment having a design capacity of 5,000t or more but less than 100,000t per year.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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 permit for an environmentally relevant activity are in accordance with section 73B of the *Environmental Protection Act 1994*.

Additional information for applicants

Contaminated Land

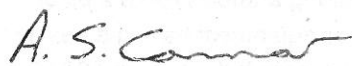
It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a Notifiable Activity (as defined by Schedule 2 of the *Environmental Protection Act 1994*) is being carried out on the land or that the land has been affected by a hazardous contaminant, 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.



Andrew Connor
Manager
Environmental Protection Agency

Date: 3/7/06

CONDITIONS OF APPROVAL

Agency Interest: General

(PG1) In carrying out the ERA prevent or minimise the likelihood of environmental harm being caused.

(PG2) Ensure that:

- (a) all measures, plant and equipment necessary to ensure compliance with the conditions of this approval are installed; and
- (b) such measures, plant and equipment are operated and maintained in a proper condition.

(PG3) The ERA by itself or in combination with mining activities on the site must not cause more than 20ha of significantly disturbed land at any one time.

(PG4) Site Based Management Plan

From commencement of the ERA, a Site Based Management Plan (SBMP) must be developed and implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of contaminants, the potential impact thereof and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for review and 'continual improvement' in the overall environmental performance of the ERA. The SBMP must address the following matters in relation to the ERA:

- (a) the holder's commitment to achieve specified and relevant environmental goals;
- (b) identification of the environmental issues and potential impacts;
- (c) control measures for routine operations to minimise likelihood of causation of environmental harm;
- (d) contingency plans and emergency procedures for non-routine situations which may cause environmental harm;
- (e) organisational structure and responsibility;
- (f) effective communication;
- (g) monitoring of contaminant releases;
- (h) conducting environmental impact assessment;
- (i) staff training;
- (j) record keeping; and
- (k) periodic review of environmental performance and continual improvement.

(PG5) The SBMP must not be implemented or amended where such implementation or amendment would result in a contravention of any condition of this development approval.

(PG6) Details of any amendment of the SBMP must be submitted to the administering authority with the annual return, which immediately follows the enactment of any such amendment.

(PG7) A copy of the SBMP must be kept at the authorised place.

(PG8) The ERA must not be conducted within 150 metres from the high banks of Fifteen Mile Creek.

Agency Interest: Air

(PA1) Stockpiles must be maintained to prevent or minimise the release of wind blown dust to the atmosphere.

(PA2) When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint or 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 dust sensitive place and upwind control sites and the report must include:

- (a) dust deposition for a complaint alleging dust nuisance; 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 (PM10) suspended in the atmosphere over a 24 hr averaging period.

(PA3) 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.

(PA4) Notwithstanding Condition PA3, dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place:

- (a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS3580.10.1 of 2003 (or more recent editions); or
- (b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24-hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with:

Australian Standard AS3580.9.6 of 2003 (or more recent editions) "Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler 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

(PA5) Prevent or minimise the release of dust from vehicles used for transporting aggregates extracted from the site.

(PA6) Trafficable areas must be maintained to prevent or minimise the release of wind blown or traffic generated dust to the atmosphere.

(PA7) Prevent or minimise the release of dust to the atmosphere from crushing and screening equipment and material conveyor systems.

Agency Interest: Biodiversity

(PB1) A flora* and fauna assessment of Lot 1308 CA31399 must be undertaken prior to the commencement of the ERA and within 3 months from the date of approval.

(PB2) The flora assessment report must be of sufficient detail to meet the administering authority's satisfaction and address, as a minimum, the requirements set out in Condition PB3.

(PB3) The flora assessment survey methodology should be based on established protocols adopted by the Queensland Herbarium (Nelder *et al* 1999) and should include, but is not limited to, the following:

- (a) the abundance, density, structure and diversity in each strata;
- (b) a list of species composition for each community, highlighting any dominant species;
- (c) the size of the community, its extent and distribution over the area; and
- (d) an assessment of the value of the community with respect to endangered, vulnerable or rare species or uncommon communities.

Note: * The results of the flora assessment are necessary to comply with the requirements of condition PL1.

(PB4) The flora assessment of Lot 1308 CA31399 must be undertaken by a suitably qualified person, and include GPS recording and mapping of:

- (a) locations of plants identified as Endangered, Vulnerable or Rare (EVR) under *the Nature*

Conservation (Wildlife) Regulation 1994; and

(b) over-mature trees bearing significant hollows (habitat trees).

(PB5) A development map of Lot 1308 CA31399 must be prepared and submitted to the administering authority, within three (3) months from the renewal of the current plan of operations, which clearly identifies areas to be retained, showing:

- (a) results of flora assessment, including locations of Endangered, Vulnerable or Rare (EVR) species and habitat trees;
- (b) (b) buffer (minimum 50m) to any EVR plants and habitat trees identified;
- (c) lot boundaries;
- (d) existing infrastructure;
- (e) proposed roads and access tracks; and
- (f) proposed location and sequencing of extraction areas.

(PB6) No additional disturbance will be undertaken by the holder of this approval, prior to the Development Plan being approved by the administering authority.

(PB7) Prepare a Vegetation Management Plan to:

- (a) protect state and regionally significant values contained within remnant areas;
- (b) ensure progressive rehabilitation, which must commence within (6) months of cessation of the ERA on an area; and
- (c) map buffer zones to protect EVR flora species.

(PB8) No additional disturbance will be undertaken by the holder of this approval, prior to the submission to the EPA of the flora assessment report.

(PB9) The flora assessment report, development map and any supporting documentation must be submitted to the administering authority prior to the commencement of the ERA.

(PB10) The fauna assessment survey methodology should be based on the Draft Ecological Assessment Guidelines, Environmental Protection Agency, Southern Region and should include, but is not limited to, the following:

- (a) a detailed description of terrestrial, avifauna present or likely to be present on the site;
- (b) assessment of habitat types;
- (c) identification, mapping and use of habitat trees/ tree hollows;
- (d) identification of wildlife corridors; and
- (e) the presence or potential presence of rare, vulnerable, endangered or common species of special cultural significance.

(PB11) The fauna assessment of Lot 1308 CA31399 must be undertaken by a suitably qualified

person.

(PB12) Prepare a Fauna Management Plan to include:

- (a) successional clearing protocols as related to EVR fauna Species and significant fauna habitat; and
- (b) the use of qualified wildlife spotters during clearing.

Agency Interest: Land

(PL1) **Land Rehabilitation**

The site (including all disturbed areas such as slopes, sedimentation ponds and stockpile areas) must be rehabilitated in a manner such that:

- (a) rehabilitation involves the use of species of flora endemic to the site, and its locality where possible, including habitat and food trees for local indigenous fauna;
- (b) vegetation communities representative of the regional ecosystems and vegetation types, are reinstated with sufficient diversity, structure and condition to restore the habitats and community of habitat for Endangered, Vulnerable and Rare (EVR) species and other local wildlife;
- (c) effective erosion control measures are implemented in rehabilitated areas;
- (d) the quality of stormwater, other water and seepage released from the site is such that releases of contaminants such as suspended solids, turbidity, total dissolved salts, pH, total iron, total aluminium and total manganese are not likely to cause environmental harm;
- (e) the likelihood of environmental nuisance being caused by release of dust is minimised;
- (f) the water quality of any residual water body meets relevant criteria for subsequent use and does not have potential to cause environmental harm; and
- (g) the final land form is stable and not subject to slumping.

(PL2) Prior to the commencement of extractive activities, a Rehabilitation Plan must be submitted and accepted by the administering authority, addressing the following issues;

- (a) staging of rehabilitation;
- (b) final landform design;
- (c) proposed species list; and
- (d) rehabilitation success criteria (including species diversity and density of cover).

(PL3) Rehabilitation must be completed in accordance with the Rehabilitation Plan and to the satisfaction of the administering authority.

(PL4) The Rehabilitation Plan is to be submitted to the administering authority within 6 months of this approval. The Rehabilitation Plan must be of sufficient detail to meet EPA's satisfaction and should include, but is not limited to:

- (a) a schedule of disturbance and rehabilitation;
- (b) a schedule of revegetation, seeding and planting;
- (c) after care management; and
- (d) rehabilitation success criteria.

(PL5) No additional disturbance will be undertaken by the holder of this approval, prior to the submission to the EPA of the Rehabilitation Plan.

(PL6) The ERA must be conducted so as to prevent causation of contaminated land.

(PL7) Spillage of any chemicals including hydrocarbon liquids must be contained within the site and rectified whereby environmental harm is not caused. Storage of flammable or combustible liquids shall accord with Australian Standard 1940 - Storage and Handling of Flammable and Combustible Liquids.

(PL8) Topsoil must be removed and stockpiled prior to carrying out the ERA.

(PL9) Excavations less than three metres deep must be backfilled with available overburden and waste rock as soon as practical following the completion of the ERA.

(PL10) Where it is impractical to return overburden and waste rock to excavations deeper than three metres, overburden and waste rock stockpiles must accord with condition PL8.

(PL11) Areas disturbed by the ERA must be rehabilitated to a stable landform similar to that of the surrounding undisturbed areas.

(PL12) The water quality of any residual water bodies must comply with the water quality guidelines for livestock drinking water stated in the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

(PL13) Prepare a Stormwater Management Plan to include:

- (a) the location and design capacity of sediment dam(s) and description of the site drainage

system;

(b) details of how the sediment dam(s) will be managed to prevent uncontrolled overflows of turbid water during storm events;

(c) details of how the site will be managed to minimise erosion.

(PL14) Excavations that are to remain after cessation of the ERA on the site must be made safe and accessible to livestock and native animals.

Agency Interest: Noise

(PN1) Noise from the ERA must not cause an environmental nuisance at a noise sensitive place.

(PN2) Noise monitoring must be undertaken as directed by the administering authority to investigate any complaint about noise nuisance caused by the ERA. The administering authority must be notified of the results within 14 days following completion of monitoring. For the purposes of this condition, noise monitoring must be done by a competent person in accordance with the latest edition of the Environmental Protection Agency Noise Measurement Manual and include:

- (a) LA, max adj, T;
- (b) relevant background sound level;
- (c) the level and frequency of occurrence of impulsive or tonal noise;
- (d) atmospheric conditions including wind speed and direction; and
- (e) location, date and time of measurements.

(PN3) Notwithstanding Condition PN1, noise from the ERA must not exceed the criteria specified in Attachment 1 - Table 1.

(PN4) Where it is determined by an authorised person that monitoring results indicate environmental nuisance, the operator of the ERA to which this approval relates must:

- (a) address the complaint, including the use of appropriate dispute resolution if required; or
- (b) immediately implement noise abatement measures so that emissions of noise from the ERA do not result in further environmental nuisance.

(PN5) Explosive blasting is not permitted on the site.

Agency Interest: Social

(PS1) 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.

Agency Interest: Waste

(PW1) Procedures must be implemented to ensure that wastes generated on the site are minimised, recycled, sorted, handled and transferred in a proper and efficient manner. Disposal of such waste must be at a facility lawfully able to accept such waste.

(PW2) Waste and/or vegetation must not be burned on site.

(PW3) All regulated waste removed from site must be removed by a person who holds a current authority to do so under the *Environmental Protection Act 1994*.

Agency Interest: Water

(PW4) Diversion drains and/or contour banks must be designed, installed and maintained to minimise the potential for stormwater runoff to enter areas disturbed by the ERA.

(PW6) Effective erosion and sediment control structures must be designed, installed and maintained wherever necessary to prevent erosion of disturbed/ rehabilitated areas and the release of sediment to waters.

(PW7) The ERA must be conducted to prevent any release of any hazardous contaminant to waters.

(PW8) Sediment laden water must not be directly or indirectly released from the site to any waters.

(PW5) There must be no work undertaken on site that causes an impediment to the natural flow of water in Fifteen Mile Creek.

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 *Environmental Protection Act 1994*) for the section 86(2) licence that applies to an approval.

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

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

"boulder rock" means rock extracted in such form to be used or to be supplied for such use, whether in tact or in broken form.

"Bkg" means background

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

"contaminant" under section 11 of *Environmental Protection Act 1994* means:

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

"contamination" under section 10 of the *Environmental Protection Act 1994* means the release (whether by act or omission) of a contaminant to the environment.

"contaminated land" under schedule 3 of the *Environmental Protection Act 1994* means land that is contaminated by a hazardous contaminant.

"disturbed area" or words to that effect means:

- (a) contaminated land; or
- (b) land that has been disturbed and human intervention is needed to rehabilitate it:
 - a. including:
 - i. mining or quarrying areas including processing plant, stockpiles and tailings areas;
 - ii. areas where soil has been compacted, removed, covered, exposed or stockpiled;
 - iii. areas where vegetation has been removed or destroyed to an extent where the land is susceptible to erosion;
 - iv. areas where land use suitability or capability has been diminished;
 - v. areas within water/s where mining/ quarry activities occur;
 - vi. areas submerged by tailings or hazardous contaminant storage dams in all cases;
 - vii. areas under temporary infrastructure eg. roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, air strips, helipads which is to be removed after mining/ quarrying has ceased.

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

- (a) noise, dust, odour, light; or
- (b) an unhealthy, offensive, or unsightly condition because of contamination; or
- (c) another way prescribed by regulation.

"ERA" means environmentally relevant activity

"hazardous contaminant" under schedule 3 of the *Environmental Protection Act 1994* means a contaminant that if improperly treated, stored, disposed of or otherwise managed, is likely to cause serious or material environmental harm because of:

- (a) its quantity, concentration, acute or chronic toxic effects, carcinogenicity, teratogenicity, mutagenicity, corrosiveness, explosiveness, radioactivity; flammability; or
- (b) its physical, chemical or infectious characteristics (eg spills of mercury, cyanide, petrol, diesel or oil).

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

"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.

" $L_{A\ 10, \text{adj}, 10 \text{ mins}}$ " 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.

" $L_{A\ 1, \text{adj}, 10 \text{ mins}}$ " 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.

" $L_{A, \text{max adj}, T}$ " 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.

"mg/L" means milligrams per litre.

"noise sensitive place" means –

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarden, 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; and
- includes the curtilage of such a place.

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

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

"rehabilitation" means the process of reshaping and revegetating land to restore it to a stable post mining or quarry state and in accordance with acceptance criteria or rehabilitation conditions, and where relevant includes remediation of contaminated land.

"sediment pond" means a bunded or excavated structure used to contain and settle waterborne sediment flowing from disturbed areas.

"site" means the place or premises to which this authority or approval applies.

"stable" means geological stability of a rehabilitated landform where instability caused by settlement and subsidence has ceased.

"topsoil" means the surface layer of a soil profile, which is usually more fertile, darker in colour, better structured and supports greater biological activity than underlying layers. The surface layer may vary in depth depending on soil forming factors, including parent material, location and slope, but generally is not greater than about 300mm in depth from natural surface

"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.

"sensitive place" means –

- 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; and
- includes the curtilage of such a place.

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

"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 approval.

"you" means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

END OF CONDITIONS

Attachment 1 - Tables

Table 1 - Noise limits

Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am
	Noise measured at a 'Noise sensitive place'					
LA10, adj, 10 mins	Bkg + 5	Bkg + 5	Bkg + 0	Bkg + 5	Bkg + 5	Bkg + 0
LA1, adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
	Noise measured at a 'Commercial place'					
LA10, adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
LA1, adj, 10 mins	Bkg + 15	Bkg + 15	Bkg + 10	Bkg + 15	Bkg + 15	Bkg + 10

General Note: In no case is the background noise level L_{A90}, 15 mins to be less than 25dB(A). In the event that the measured background noise is less than 25dB(A), then 25dB(A) is to be used.