ecoaccess
environmental licences and permits

Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00609906

This amended registration certificate is issued by the administering authority and takes effect from: 19 March 2010.

The anniversary day for the purposes of the Annual Return remains: 21 December.

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 ENDC00606606 attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Cannon Hill Investments Pty Ltd
Ryan Harvie McEnery
621 Coronation Drive
TOOWONG QLD 4066

Place:-
Lot 1 Plan SP130936, Lot 3 Plan SP130936.
Located at:-
117 Colmslie Road, CANNON HILL QLD 4170.
Registered Activities:-
ERA 15 Fuel burning - using fuel burning equipment that is capable of burning at least 500kg of fuel in an hour
ERA 25 Meat processing Threshold 2(c) - processing, including rendering, in a year, more than 50000t of meat or meat products

Delegate
Administering authority
Environmental Protection Act 1994

19-MAR-2010

Notice of decision – Change to an existing approval

This notice is issued by the Environmental Protection Agency pursuant to Section 3.5.33 of the Integrated Planning Act 1997 to advise of a decision or action.

Cannon Hill Investments Pty Ltd
T/A Australian Country Choice
Ryan Harvie McEnery
621 Coronation Drive
TOOWONG QLD 4066

Our reference: 241852

Attention: Mr Michael Campbell, Environmental Officer

Dear Mr Campbell

Re: Application to change or cancel a condition of your development approval

The Environmental Protection Agency (EPA), acting as Assessment Manager, wishes to advise that your 'Request to change an existing approval' [Permit Ref: ENDC00606606 / SR1814], received on 8 November 2006, has been assessed, and on 1 December 2006 was approved.

1. Your application requested:

Change Condition B4, Schedule B - Table 1 as follows:

"Request change to EPA Licence No. SR1814, SCHEDULE B – Air, SCHEDULE B – Table 1: Minimum Release Height – 30 metres above ground level. This requirement corresponds with condition (B4) "Contaminants must be released to the atmosphere from a release point at a height not less than the corresponding height stated for that release point in Table 1 of the air schedule".

It is hereby requested that the minimum release height of 30 metres above ground level, for the specified RP1 & RP2 (Split Stack) Babcock Fluidised Bed – Coal-fired Boilers 1 and 2 (on the stated property), be revised back to a minimum release height of not less than 20 metres above ground level, allowing the top 10 metres of stack to be removed.

This request is made in light of the following two issues, as previously communicated to the EPA Site Officer (Mr Don Shackel) via email on 15 September 2006. Firstly, the top 10 metres of the current stack has recently been determined an Occupational Health and Safety hazard, as a result of rust, weather damage and old age, and requiring immediate attention. Secondly, a new stack will take approximately 5-6 months to be fabricated and installed, resulting in an extensive (5-6 month) interim period when the current unsafe stack would remain an unacceptable Occupational Health and Safety risk.

Approval to reduce the minimum stack release height will allow continued operation of the facility in a safe manner, and in accord with conditions of EPA Licence No. SR1814."

[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

1/12/06

As a consequence of your request, the following change (amendment) has been made to SCHEDULE B – Table 1 of SR1814:

CURRENT CONDITION:

SCHEDULE B - Table 1

RELEASE POINT NUMBER AND STACK DESCRIPTION	SOURCE DESCRIPTION	MINIMUM RELEASE HEIGHT (metres above ground level)	MINIMUM EFFLUX VELOCITY (metres/second)
RP1 & RP2 (Split Stack)	Babcock Fluidised Bed – Coal-fired Boilers 1 and 2	30	5.0

CHANGED CONDITION:

SCHEDULE B - Table 1

RELEASE POINT NUMBER AND STACK DESCRIPTION	SOURCE DESCRIPTION	MINIMUM RELEASE HEIGHT (metres above ground level)	MINIMUM EFFLUX VELOCITY (metres/secon d)
RP1 & RP2 (Split Stack)	Babcock Fluidised Bed – Coal-fired Boilers 1 and 2	20 Until 30/09/2007 30 From 1/10/2007	5.0

A copy of the amended Development Permit SR1814, now ENDC00606606 is attached.

2. The details of the original approval were:

Property/Location: :

Street address - 117 Colmslie Road CANNON HILL QLD 4170
Lot/Plan - Lot 1 Plan SP130936, Lot 3 Plan SP130936

3. Environmentally Relevant Activities (ERA):

ERA 32(a)(iii) - Meat processing - slaughtering animals for commercially producing meat or meat products for human consumption, or processing (other than smoking mentioned in item 35) or packaging of meat or meat products for human consumption if an integral part of the activity involves the operation of a rendering plant with a design production capacity of more than 300 tonnes per year in works (other than a retail butcher shop) having a design production capacity of 6000 tonnes or more per year.

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ERA 17 - Fuel burning - any process involving the use of fuel burning equipment (including, for example, a standby power generator) that is capable of burning (whether alone or in total) 500 kg or more of fuel per hour.

ERA 15(b) - Sewage treatment -- operating a standard sewage treatment works having a peak design capacity to treat sewage of 100 or more equivalent persons but less than 1500 equivalent persons.

An attached extract from the *Integrated Planning Act 1997* details your appeal rights regarding this decision. You should seek independent advice to confirm all your available avenues.

Should you require any further information please contact Don Shackel the project manager, on the telephone number listed below.

Yours sincerely

Lawrence Wade 1/12/06

Lawrie Wade
Delegate
Environmental Protection Agency

Enquiries:
Don Shackel
Southern Region Env Ops (Brisbane)
Floor 23, 288 Edward Street
GPO Box 2771 BRISBANE QLD 4001
Phone: (07) 3225 1040
Fax: (07) 3225 8723

APPEAL RIGHTS - Extract from the *Integrated Planning Act 1997*

Division 8—Appeals to court relating to development applications

4.1.27 Appeals by applicants

(1) An applicant for a development application may appeal to the court against any of the following -
  (a) the refusal, or the refusal in part, of a development application;
  (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6;
  (c) the decision to give a preliminary approval when a development permit was applied for;
  (d) the length of a currency period;
  (e) a deemed refusal.
(2) An appeal under subsection (1)(a) to (d) must be started within 20 business days (the **"applicant's appeal period"**) after the day the decision notice or negotiated decision notice is given to the applicant.
(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

4.1.28 Appeals by submitters

(1) A submitter for a development application may appeal to the court only against -
  (a) the part of the approval relating to the assessment manager's decision under section 3.5.14 or 3.5.14A; or
  (b) for an application processed under section 6.1.28(2) – the part of the approval about the aspects of the development that would have required public notification under the repealed Act.
(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following-
  (a) the giving of a development approval;
  (b) any provision of the approval including-
    (i) a condition of, or lack of condition for, the approval; or
    (ii) the length of a currency period for the approval.
(3) However, a submitter may not appeal if the submitter-
  (a) withdraws the submission before the application is decided; or
  (b) has given the assessment manager a notice under section 3.5.19(1)(b)(ii).
(4) The appeal must be started within 20 business days (the **"submitter's appeal period"**) after the decision notice or negotiated decision notice is given to the submitter.

4.1.29 Appeals by advice agency submitters

(1) Subsection (1A) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
(1A)The advice agency may, within the limits of its jurisdiction, appeal to the court about any part of the approval relating to the assessment manager's decision under section 3.5.14 or 3.5.14A.
(3) The appeal must be started within 20 business days after the day the decision notice or negotiated notice is given to the advice agency as a submitter.
(4) However, if the advice agency has given the assessment manager a notice under section 3.5.19(1)(b)(ii), the advice agency may not appeal the decision.

4.1.30 Appeals for matters arising after approval given (co-respondents)

(1) For a development approval given for a development application, a person to whom any of the following notices have been given may appeal to the court against the decision in the notice -
  (a) a notice giving a decision on a request for an extension of the currency period for an approval;
  (b) a notice giving a decision on a request to make a minor change to an approval.
(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
(3) Subsection (1)(a) does not apply if the approval resulted from a development application (superseded planning scheme) that was assessed as if it were an application made under a superseded planning scheme.

Division 9 - Appeals to court about other matters

4.1.31 Appeals for matters arising after approval given (no co-respondents)

(1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice -
  (a) a notice giving a decision on a request to change or cancel a condition of a development approval;
  (b) a notice under section 3.5.33A(9)(b) or 6.1.44 giving a decision to change or cancel a condition of a development approval.
(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

4.1.32 Appeals against enforcement notices

(1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.
(2) The appeal must be started within 20 business days after the day notice is given to the person.

4.1.33 Stay of operation of enforcement notice

(1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until -
  (a) the court, on the application of the entity issuing the notice, decides otherwise; or
  (b) the appeal is withdrawn; or
  (c) the appeal is dismissed.
(2) However, subsection (1) does not apply if the enforcement notice is about -
  (a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or
  (b) carrying out development that is the demolition of a work.

4.1.34 Appeals against decisions on compensation claims

(1) A person who is dissatisfied with a decision under section 5.4.8 or 5.5.3 for the payment of compensation may appeal to the court against -
  (a) the decision; or
  (b) a deemed refusal of the claim.
(2) An appeal under subsection (1)(a) must be started with 20 business days after the day notice of the decision is given to the person.
(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

4.1.35 Appeals against decisions on requests to acquire designated land under hardship

(1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 2.6.19, may appeal to the court against -
  (a) the decision; or
  (b) a deemed refusal of the request.
(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.
(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

4.1.37 Appeals from tribunals

(1) A party to a proceeding decided by a tribunal may appeal to the court against the tribunal's decision, but only on the ground -
  (a) of error or mistake in law on the part of the tribunal; or
  (b) that the tribunal had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.
(2) An appeal against a tribunal's decision must be started within 20 business days after the day notice of the tribunal's decision is given to the party.

4.1.38 Court may remit matter to tribunal

If an appeal includes a matter within the jurisdiction of a tribunal and the court is satisfied the matter should be dealt with by a tribunal, the court must remit the matter to the tribunal for decision.

Division 10 - Making an appeal to court

4.1.39 How appeals to the court are started

(1) An appeal is started by lodging written notice of appeal with the registrar of the court.
(2) The notice of appeal must state the grounds of the appeal.
(3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
(4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

4.1.41 Notice of appeal to other parties (div 8)

(1) An appellant under division 8 must give written notice of the appeal to-
- (a) if the appellant is an applicant-
  - (i) the chief executive; and
  - (ii) the assessment manager; and
  - (iii) any concurrence agency; and
  - (iv) any principal submitter whose submission has not been withdrawn; and
  - (v) any advice agency treated as a submitter whose submission has not been withdrawn; or
- (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal-
  - (i) the chief executive; and
  - (ii) the assessment manager; and
  - (iii) an y referral agency; and
  - (iv) the applicant; or
  - (c) if the appellant is a person to whom a notice mentioned in section 4.1.30 has been given-
    - (i) the chief executive; and
    - (ii) the deciding entity; and
    - (iii) any entity that was a concurrence agency or building referral agency for the development application to which the notice relates.

(2) The notice must be given within-
- (a) if paragraph (b) does not apply-10 business days after the appeal is started; or
- (b) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal-2 business days after the appeal is started.

(3) The notice must state-
- (a) the grounds of the appeal; and
- (b) if the person given the notice is not the respondent or a co-respondent under section 4.1.43 -
- (c) that the person may, within 10 business days after the day the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

4.1.42 Notice of appeal to other parties (div 9)

(1) An appellant under division 9 must, within 10 business days after the day the appeal is started give written notice of the appeal to -
- (a) if the appellant is a person to whom a notice mentioned in section 4.1.31[73] has been given - the entity that gave the notice; or
- (b) if the appellant is a person to whom an enforcement notice is given - the entity that gave the notice and if the entity is not the local government, the local government; or
- (c) if the appellant is a person dissatisfied with a decision about compensation - the local government that decided the claim; or
- (d) if the appellant is a person dissatisfied with a decision about acquiring designated land - the designator; or
- (e) if the appellant is a person who is disqualified as a private certifier - the entity disqualifying the person and if the entity disqualifying the person is not the accrediting body, the accrediting body; or
- (f) if the appellant is a party to a proceeding decided by a tribunal - the other party to the proceeding.

(2) The notice must state the grounds of the appeal.

4.1.43 Respondent and co-respondents for appeals under div 8

(1) Subsections (2) to (8) apply for appeals under section 4.1.27 to 4.1.29.
(2) The assessment manager is the respondent for the appeal.
(3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
(4) Any submitter may elect to become a co-respondent to the appeal.
(5) If the appeal is about a concurrence agency response, the concurrence agency is a co-respondent for the appeal.
(6) If the appeal is only about a concurrence agency response, the assessment manager may apply to the court to withdraw from the appeal.
(7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
(8) A person to whom a notice of appeal is required to be given under section 4.1.41 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
(9) For an appeal under section 4.1.30-
   (a) the assessment manager is the respondent; and
   (b) any entity that was a concurrence agency or a building referral agency for the development application to which a notice under section 3.6.3 relates may elect to become a co-respondent.

4.1.44 Respondent and co-respondents for appeals under div 9

(1) This section applies if an entity is required under section 4.1.42 to be given a notice of an appeal.
(2) The entity given written notice is the respondent for the appeal.
(3) However, if under a provision of the section more than 1 entity is required to be given notice, only the first entity mentioned in the provision is the respondent.
(4) The second entity mentioned in the provision may elect to be a co-respondent.

4.1.45 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to the appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

4.1.46 Minister entitled to be represented in an appeal involving a State interest

If the Minister is satisfied that an appeal involves a State interest, the Minister is entitled to be represented in the appeal.

4.1.47 Lodging appeal stops certain actions

(1) If an appeal (other than an appeal under section 4.1.30) is started under division 8, the development must not be started until the appeal is decided or withdrawn.
(2) Despite subsection (1), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

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Amended Development Approval

Section 3.5.33 *Integrated Planning Act 1997*

EPA Permit[1] number: ENDC00606606

EPA Permit[1] number:	ENDC00606606
Assessment Manager reference:	As above
Date application received by EPA:	8 November 2006
Permit[1] Type:	Amended Development Approval
Date of Decision:	1 December 2006
Decision:	Granted in full with conditions
Relevant Laws and Policies:	*Environmental Protection Act 1994* and any subordinate legislation

Development Description

Property	Lot/Plan	Aspect of Development
117 Colmslie Road CANNON HILL QLD 4170	Lot 1 on Plan SP130936 Lot 3 on Plan SP130936	**ERA 32(a)(iii) - Meat processing** - slaughtering animals for commercially producing meat or meat products for human consumption, or processing (other than smoking mentioned in item 35) or packaging of meat or meat products for human consumption if an integral part of the activity involves the operation of a rendering plant with a design production capacity of more than 300 tonnes per year in works (other than a retail butcher shop) having a design production capacity of 6000 tonnes or more per year. **ERA 17 - Fuel burning** - any process involving the use of fuel burning equipment (including, for example, a standby power generator) that is capable of burning (whether alone or in total) 500 kg or more of fuel per hour. **ERA 15(b) - Sewage treatment** -- operating a standard sewage treatment works having a peak design capacity to treat sewage of 100 or more equivalent persons but less than 1500 equivalent persons.

Additional information for applicants

The standard currency periods stated in section 3.5.21 of the Integrated Planning Act 1997 or the nominated currency period, apply to each aspect of development in this permit[1]. For information on when this permit[1] takes effect and the relevant currency periods, please see point 3 in the Notice of Decision.

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[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

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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.

Lawrence Wade 1 December 2006

Lawrie Wade
Delegate
Environmental Protection Agency

Schedule A - Activity

Compliance with Development Approval

(A1) Contaminants must not be released to the environment other than in accordance with this development approval.

Maintenance of Plant and Equipment

(A2) The registered operator must:

(i) install all plant and equipment necessary to ensure compliance with the conditions of this development approval; and
(ii) maintain such plant and equipment in a proper and efficient condition; and
(iii) operate such plant and equipment in a proper and efficient manner.

In this condition, "plant and equipment" includes:

(i) plant and equipment used to prevent and/or minimise the likelihood of environmental harm being caused, for example, condensers, afterburners, waste water treatment systems, dissolved air flotation systems, savealls, filter presses, screens and aerators;
(ii) devices and structures to contain foreseeable escapes of contaminants and waste, for example, bunds;
(iii) pipework and associated structures used for transfer of effluents;
(iv) devices and structures used to store, handle, treat and dispose of waste;
(v) monitoring equipment and associated alarms, for example high-level alarms on tanks, storages, temperature sensors on condensers and obscuration meters;
(vi) backup systems that act in the event of failure of a primary system; and
(vii) fuel burning equipment, for example, boilers and afterburners.

Display of Development approval

(A3) A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A4) 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 five years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

(A5) Copies of any record or document required to be kept by a condition of this development approval must be provided to any authorised person or the administering authority on request.

Alterations

(A6) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development approval.

An example of a substantial increase in the risk of environmental harm is an increase of 10% or more in the quantity of the contaminant to be released into the environment.

Calibration

(A7) All instruments and measurement devices used for the measurement or monitoring of any parameter under any condition of this development approval must be calibrated, and appropriately operated and maintained.

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Nuisance

(A8) Notwithstanding any other condition of this development approval, this development approval does not authorise any release of contaminants, which causes or is likely to cause an environmental nuisance beyond the boundaries of the approved place.

Integrated Environmental Management System (IEMS)

(A9) **By the completion of the ninth (9th) month after commencement of operations**, the registered operator, must develop and implement an Integrated Environmental Management System (IEMS) or equivalent environmental management system, accreditable to ISO 14001 level of compliance, which provides for the effective and appropriate management by the registered operator of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activities.

(A10) The Integrated Environmental Management System must provide for at least the following functions:

(i) The monitoring of releases of contaminants into the environment, for example measurement of the quantities and concentrations of releases of contaminants to the environment as required under this development approval;

(ii) The assessment of the environmental impacts of any releases of contaminants into the environment, for example any ambient environmental quality monitoring, noise monitoring or complaints monitoring required under this development approval; and

(iii) The training of all relevant staff, agents and contractors ("staff") to competent levels in at least the following:

(a) The environmental policy of the registered operator so that staff are aware of any relevant commitments to environmental management; and
(b) Any relevant environmental objectives and targets so that all staff are aware of the relevant performance objectives and can work towards these; and
(c) Control procedures for routine operations for day to day operational activities to prevent or minimise environmental harm, however occasioned or caused; and
(d) Contingency plans and emergency procedures for non-routine situations to deal with foreseeable risks and hazards including corrective responses to prevent and mitigate environmental harm (including any necessary site rehabilitation); and
(e) Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
(f) Effective communication to ensure two-way communication on environmental matters between operational staff and higher management; and
(g) Documentation systems so that appropriate records of environmental matters are kept to satisfy the registered operator, the administering authority and the community that the applicant is meeting environmental commitments; and
(h) Responsibilities of the registered operator and staff under the Act so that these can be met; and

(iv) The conduct of environmental and energy audits to review periodically:

(a) the level of environmental performance; and
(b) the effectiveness of environmental management procedures adopted; and
(c) efficiency in using energy and resources and opportunities for more efficient usage; and

(v) The implementation of an effective and appropriate waste management plan, as required by conditions G3 to G7.

(A11) The conduct of environmental and energy audits required by condition A10(iv) must be carried out as often as necessary but not less frequently than the frequency specified below:

(i) the level of environmental performance: annually

[initials] 1/12/06

(ii) the effectiveness of environmental management procedures adopted: once every two years
(iii) efficiency in using energy and resources and opportunities for more efficient usage: within two years of the granting of this development approval and then not less than once every five years

(A12) The registered operator must prepare a report summarising the outcomes of the environmental and energy audits required by condition A10(iv) and submit the report with the annual return which follows the conduct of the audits.

(A13) The registered operator must not implement an Integrated Environmental Management System or amend the Integrated Environmental Management System where such implementation or amendment would result in a contravention of any condition of this development approval.

(A14) A copy of the Integrated Environmental Management System must be provided to the administering authority within 30 days of its completion.

(A15) A copy of the Integrated Environmental Management System must be kept at the approved place.

(A16) The registered operator must submit details of any amendment to the Integrated Environmental Management System to the administering authority with the Annual Return, which immediately follows the enactment of any such amendment.

Release of Visible Light

(A17) Any visible light released from the approved place must not, in the opinion of an authorised person, cause an environmental nuisance at or beyond the boundary of the approved place.

Community Liaison Committee

(A18) The registered operator must; in consultation with the administering authority, co-operate with and service any community environment liaison committee established in respect of either the approved place specifically or the industrial estate where the approved place is located.

Inspections by Authorised Persons

(A19) At all reasonable times, and to the satisfaction of an authorised person, the following must be provided to enable an authorised person to check compliance with the conditions of this development approval:

(i) monitoring facilities; and
(ii) access to such facilities; and
(iii) any reasonable assistance, which the authorised person deems necessary. development approval of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activities.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Odour

Non-specified Releases of Contaminants to the Atmosphere

(B1) Except as otherwise provided by the conditions of the air schedule of this development approval, the environmentally relevant activities must be carried out by such practicable means necessary to prevent the release or likelihood of release of contaminants to the atmosphere.

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Specified Releases of Contaminants to the Atmosphere

(B2) Contaminants resulting from the operation of the sources described in Table 1 must only be released to the atmosphere from those release points specified in Table 1 of the air schedule.

(B3) Contaminants released from each release point specified in Table 1 of the air schedule must be directed vertically upwards without any impedance or hindrance.

(B4) Contaminants must be released to the atmosphere from a release point at a height not less than the corresponding height stated for that release point in Table 1 of the air schedule.

(B5) Contaminants must be released to the atmosphere from a release point at a velocity not less than the corresponding velocity stated for that release point in Table 1 of the air schedule.

(B6) Contaminants must not be released to the atmosphere from a release point at a mass emission rate, as measured at a monitoring point specified in Schedule H, in excess of that stated in Table 2 of the air schedule.

(B7) Contaminants must not be released to the atmosphere from a release point at a concentration, as measured at a monitoring point specified in Schedule H, in excess of that stated in Table 2 of the air schedule.

Noxious or Offensive Odour

(B8) Notwithstanding any other condition of this development approval no release of contaminants from the approved place is to cause a noxious or offensive odour beyond the boundaries of the approved place.

SCHEDULE B - Table 1

RELEASE POINT NUMBER AND STACK DESCRIPTION	SOURCE DESCRIPTION	MINIMUM RELEASE HEIGHT (metres above ground level)	MINIMUM EFFLUX VELOCITY (metres/second)
RP1 & RP2 (Split Stack)	Babcock Fluidised Bed – Coal-fired Boilers 1 and 2	20 Until 30/09/2007 30 From 1/10/2007	5.0

SCHEDULE B - Table 2

RELEASE POINT NUMBER	CONTAMINANT	CONCENTRATION RELEASE LIMIT	MASS RELEASE LIMIT
RP1 & RP2	Total Solids Particulates	250mg/Nm^3 (Adjusted at 12% CO_2)	150g/min
RP1 & RP2	Sulphur Trioxide	200mg/Nm^3	36g/min
RP1 & RP2	Total Nitrogen Oxides	500mg/Nm^3 (Adjusted at 7% O_2)	300g/min

Fuel Burning

(B9) The sulphur content of any fuel burned in industrial fuel burning equipment is not to exceed one (1) percent by weight.

Acck 1/12/06

(B10) The only type of fuel to be burned in industrial fuel burning equipment, except during light up, is coal for Fluidised Bed Boilers 1 and 2.

Rendering Plant

(B11) The ducting and extraction systems which transfer effluent gases from one location to another must be constructed, operated and maintained so as to minimise any leakage of effluent gases and vapours to the atmosphere occurring from these sources.

(B12) In the event of visible emissions occurring from industrial plant or ducting within the process building, rendering of animal matter in the processing line served by that industrial plant or ducting must cease and must not recommence until the fault or omission which resulted in the emission is corrected, except in the case where such fault or omission is corrected within 2 hours of its detection.

Biofilters

(B13) The registered operator must take all reasonable and practicable measures to ensure that the design and operation of the biofilter optimises the performance for the reduction of odour emissions. Reasonable and practicable measures include but are not limited to the control of the:

(a) volumetric flow rate to the filter bed (cubic metres per hour);
(b) relative humidity of the air stream being directed to the biofilter;
(c) temperature of the air stream being directed to the biofilter;

(B14) The ducting and extraction systems which transfer the extracted building air from one location to another must be constructed, operated and maintained so that no leakage of that building air to the atmosphere occurs from these sources.

(B15) The biofilter must be kept in a moist state such that the relative humidity of air entering the biofilter and air leaving the biofilter is as close as practicable to 100% relative humidity but in no case less than 95% relative humidity.

Dust Control

(B16) All sealed traffic areas must be cleaned as necessary to minimise the release of dust and particulate matter to the atmosphere.

(B17) All areas intended to carry vehicular traffic must be sealed with bitumen or an equivalent hard surface.

(B18) Any spillages of material onto sealed areas, as a result of delivery or handling, must be cleaned up without delay and placed into storage bins or other suitable receptacles.

Dust Minimisation: Livestock Holding, Receival and Transferring Areas

(B19) Live stock holding, receival and transferring areas must be maintained in a manner which minimises the release of dust and particulate matter to the atmosphere by:

(i) removing manure from concreted areas daily and keeping such areas clean;
(ii) periodically removing manure from unsealed areas; and
(iii) keeping the surface of unsealed areas damp during periods of dry weather.

Livestock

(B20) All livestock entering the approved place must be unloaded only to the undercover stock holding area while awaiting processing.

(B21) The number of livestock carried over on site, from day to day must not, at any time, exceed the number required for two (2) days processing in total and must be managed in such a way so as to minimise odour and noise and not to create bare earth in open areas.

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Livestock Management Plan

(B22) **By three (3) calendar months** from the date of this development approval taking effect, the registered operator must prepare and submit to the administering authority a Livestock Management Plan for the approved place which is acceptable to the administering authority.

(B23) The Livestock Management Plan must provide detail on the works to be implemented and a timetable proposed to address the following issues in the external environment:

- livestock noise; and
- livestock odour; and
- livestock waste disposal; and
- maintenance of a grass cover in external holding paddocks.

(B24) A copy of the Livestock Management Plan must be kept at the approved place where practical.

(B25) The registered operator must not implement a Livestock Management Plan or amend a Livestock Management Plan where such implementation or amendment would result in a contravention of any condition of this development approval.

(B26) The registered operator must submit details of any subsequent amendment to the Livestock Management Plan to the administering authority with the Annual Return, which immediately follows any such amendment.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Release of Contaminants to Waters

(C1) **By the commencement of operations,** contaminants must not be directly or indirectly released from the approved place to any waters or the bed and banks of any waters except:

(i) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

END OF CONDITIONS FOR SCHEDULE C

Schedule D – Stormwater Management

Contaminant Releases Caused by Rainfall

(D1) The environmentally relevant activities must be carried out by such practicable means necessary to prevent the contact of incident rainfall and stormwater runoff with wastes or other contaminants.

(D2) Where it is not practicable to prevent contact as required by condition D1, the environmentally relevant activities must be carried out by such practicable means necessary to minimise any such contact.

Release of Contaminated Stormwater Runoff

(D3) Except as otherwise provided by the conditions of the stormwater management schedule and the water schedule of this development approval, the environmentally relevant activities must be carried out by such practicable means necessary to prevent the release or likelihood of release of contaminated runoff from the approved place to any stormwater drain or waters or the bed or banks of any such waters.

(D4) Where it is not practicable to prevent any release of contaminated runoff as required by condition D3, the environmentally relevant activities must be carried out by such practicable means necessary to minimise any such release or the likelihood of any such release.

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Stormwater Management Plan

(D5) **By three (3) calendar months** from the date of this development approval taking effect, the registered operator must prepare and submit to the administering authority a Stormwater Management Plan for the approved place, which is acceptable to the administering authority.

(D6) The Stormwater Management Plan must provide detail on the works to be implemented and the timetable proposed to address at least the following issues:

- prevention of incident stormwater and stormwater runoff from contacting wastes or contaminants, and
- diversion of upstream runoff away from areas containing wastes or contaminants, and
- minimisation of the size of contaminated areas, and
- cleaning of contaminated areas without water where practicable and to the greatest extent practicable, and
- installation of oil separators, silt and rubbish traps, and stormwater diversion systems, and
- paving and roofing of contaminated areas.

(D7) A copy of the Stormwater Management Plan must be kept at the approved place where practical.

(D8) The registered operator must not implement a Stormwater Management Plan or amend a Stormwater Management Plan where such implementation or amendment would result in a contravention of any condition of this development approval.

(D9) The registered operator must submit details of any subsequent amendment to the Stormwater Management Plan to the administering authority with the Annual Return, which immediately follows the enactment of any such amendment.

General

(D10) The maintenance and cleaning of vehicles and any other equipment or plant must be carried out in areas from where contaminants cannot be released into any waters, roadside gutter or stormwater drainage system.

(D11) Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillages must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Pond Conditions

(D12) All ponds used for the storage or treatment of contaminants or wastes must be installed and maintained to prevent any discharge through the bed or banks of the pond from causing environmental harm in any waters (including groundwaters).

(D13) All ponds used for the storage or treatment of contaminants or wastes must be constructed and maintained so that a freeboard of not less than 0.5 metres is maintained at all times.

(D14) All ponds used for the storage or treatment of contaminants or wastes must be constructed and maintained to ensure the stability of the ponds' construction.

Bunding

(D15) All tallow tank storages must be bunded so that the capacity of the bund is sufficient to contain at least 100 % of the largest storage tank plus 10 % of the second largest tank within the bund.

(D16) Tallow must be stored, transferred and handled in a proper and efficient manner to prevent any release of tallow to any stormwater drain or waters.

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(D17) The filling of all tanks used for storage of tallow must be controlled by automatic devices, which prevent the tank being filled beyond its nominal capacity.

(D18) All chemical tank storages must be bunded so that the capacity of the bund is sufficient to contain at least 100% of the largest storage tank plus 10% of the second largest volume within the bund.

(D19) All chemical drum storages must be bunded so as to effectively contain a volume equivalent to at least 25% of the maximum design storage volume within the bund.

(D20) All liquid waste tank storages must be bunded so that the capacity of the bund is sufficient to contain at least 100 % of the largest storage tank plus 10 % of the second largest tank

(D21) Liquid waste must be stored, transferred and handled in a proper and efficient manner to prevent any release of liquid waste to any stormwater drain or waters.

(D22) All bunding must be constructed of materials, which are impervious to the materials stored.

(D23) All bunding must be roofed where practicable.

(D24) Where it is impractical to completely roof a bunded area the registered operator must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release to any stormwater drain or waters.

(D25) The base and walls of all bunded areas must be maintained free from gaps or cracks.

(D26) All loading/unloading of bulk materials must take place only within designated vehicle loading/unloading areas.

(D27) All above ground fuel tank storages must be bunded so that the capacity of the bund is sufficient to contain at least 110 % of the largest storage tank plus 10 % of the second largest tank within the bund.

(D28) Refuelling and fuel handling operations must be conducted in a proper and efficient manner to prevent any release of fuel to any stormwater drain or waters.

(D29) All loading/unloading of bulk materials must take place only within designated vehicle loading/unloading areas.

Additional Requirements - Bunding of Chemical Tanks and Chemical Drum Storages

(D30) A collection sump must be provided in the floor of the bunding to facilitate the removal of liquids. The bund floor must be graded so that the fall is towards the collection sump.

(D31) All required pipework from the bunded areas must be directed over the bund wall and not through it.

END OF CONDITIONS FOR SCHEDULE D

Schedule E – Land Application

Release of Contaminants to Land

(E1) There must be no release nor likelihood of release of any contaminants to land.

(E2) There must be no soil conditioner manufacturing / composting activities carried out on the approved place.

(E3) There must be no direct or indirect release of contaminants to any watercourse or stormwater drain.

END OF CONDITIONS FOR SCHEDULE E

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Schedule F - Noise

Emission of Noise

(F1) In the event of a complaint about noise that constitutes 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 place must not result in levels greater than those specified in Table 1 of the Noise Schedule.

SCHEDULE F - TABLE 1

NOISE LIMITS AT A NOISE SENSITIVE PLACE	
Period	***Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
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)
NOISE LIMITS AT A COMMERCIAL PLACE	
Period	***Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
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

General

(G1) Waste must not be released to the environment, stored, transferred or disposed of contrary to any condition of this development approval.

(G2) The registered operator must not:

(i) burn waste at or on the approved place; nor
(ii) allow waste to burn or be burned at or on the approved place; nor
(iii) remove waste from the approved place and burn such waste elsewhere.

Waste conditions

(G3) Waste must not be released to the environment, stored, transferred or disposed of contrary to any condition of this development approval.

(G4) Records of trade waste agreements must be made available for inspection on request.

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(G5) An area must be set aside for the segregation and storage of recyclable solid wastes.

(G6) Where a no-cost recycling service is available, reasonable and practicable steps must be taken to ensure recyclable waste is not deposited in the general waste stream. Such steps may include, but not be limited to provision of receptacles; suitable signage; and promotion of awareness among staff of the recycling service.

(G7) Putrescible solid wastes must be removed daily from the approved place and disposed of to a facility that is authorised to accept such waste.

Waste Management Plan (WMP)

(G8) **By three (3) calendar months** from the date of this development approval taking effect, the registered operator, must develop and implement a Waste Management Plan which details how the registered operator will effectively and appropriately manage waste caused by the carrying out of the environmentally relevant activities.

(G9) The Waste Management Plan must address at least the following:

- the quantity and nature of each waste produced, and
- the current method of disposal, and
- proposed methods of pre-treatment or disposal, and
- expected reduction in quantity of waste produced through waste minimisation and cleaner production, and
- provisions for carrying out and submitting to the administering authority a waste audit within two (2) years from the date of issue of this development approval and thereafter every five (5) years.

(G10) A copy of the Waste Management Plan must be kept at the licensed place.

(G11) The registered operator must not implement a Waste Management Plan or amend a Waste Management Plan where such implementation or amendment would result in a contravention of any condition of this development approval.

(G12) The registered operator must submit details of any amendment to the Waste Management Plan to the administering authority with the Annual Return, which immediately follows the enactment of any such amendment.

Loading and unloading areas:

(G13) The registered operator must ensure that a facility or equipment is available for the containment and recovery of any spillages at any loading / unloading point(s).

Specific Stormwater conditions:

(G14) All spills outside bunded areas must be cleaned up using dry absorbent material to prevent such spills entering the stormwater system.

(G15) All waste residues arising from processing must be stored in a manner which ensures they are kept free of stormwater and other liquids at all times.

(G16) The registered operator must ensure that only a transporter possessing a current approval granted by the administering authority for the transport of regulated waste shall be used for the removal of any regulated waste from the facility.

Off Site Movement

(G17) 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 must monitor and record the following:

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(a) the date, quantity and type of waste removed; and
(b) name of the waste transporter and/or disposal operator that removed the waste; and
(c) the intended treatment/disposal destination of the waste.

(NOTE: Records of documents maintained in compliance with a waste tracking system established under the *Environmental Protection Act 1994* or any other law for regulated waste will be deemed to satisfy this condition).

Records

(G18) Records must be maintained for a period of 5 years for all wastes mentioned in this schedule.

Notification of Improper Disposal of Regulated Waste

(G19) If the registered operator 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 is improper or unlawful, then the registered operator must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

(G20) Regulated waste must not be received from any person who requires a development approval but is not registered to transport such waste under the provisions of the Environmental Protection (Interim) Regulation 1995.

END OF CONDITIONS FOR SCHEDULE G

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Schedule H – Self Monitoring and Reporting

Complaint Recording

(H1) All complaints received by the registered operator 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.

Incident Recording

(H2) A record must be maintained of events including but not limited to:

(i) the time, date and duration of equipment malfunctions that may affect the environmental performance of the approved place;
(ii) any shut-down or failure of equipment upon which the environmental performance of the approved place depends, including, but not limited to the waste water treatment system, the boilers, the rendering cooker, ducting, scrubbers, condenser unit and/or afterburner.
(iii) the hours of operation of the plant.

(H3) The record required by condition number H2 must be maintained for a period of not less than 5 years.

Notification of Emergencies and Incidents

(H4) As soon as practicable after becoming aware of any 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 must notify the administering authority of the release by telephone or facsimile.

(H5) The notification of emergencies or incidents as required by condition number H4 must include but not be limited to the following:

(i) the holder 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 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.

(H6) Not more than fourteen (14) days following the initial notification of an emergency or incident, the registered operator must provide written advice of the information supplied in accordance with condition number H5 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.

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(H7) As soon as practicable, but not more than six (6) weeks following the conduct of any environmental monitoring performed in relation to the emergency or incident, the registered operator must provide written advice of the results of any such monitoring performed.

Monitoring of Contaminant Releases to the Atmosphere

(H8) The registered operator must conduct a monitoring program of contaminant releases to the atmosphere at the release points, frequency, and for the parameters specified in Schedule H - Table 1 and which complies with the following:

(a) all determinations must be performed by a person or body possessing appropriate experience and qualifications to perform the required determinations.
(b) Monitoring provisions for the release points listed in Schedule H - Table 1 must comply with the Australian Standard AS 4323.1 - 1995 "Stationary source emissions Method 1: Selection of sampling provisions".
(c) The following tests must be performed for each required determination specified in Table 1:
   (i) gas velocity and volume flow rate;
   (ii) temperature; and
   (iii) water vapour concentration.

(d) where practicable samples taken must be representative of the contaminants discharged when emissions are expected to be at a maximum level:
(e) during the sampling period, the following additional information must be gathered,
   (i) rate of production on site (processing lines in operation);
   (ii) boiler firing status and qualitative assessment of steam demand; and
   (iii) sulphur content of fuel.

SCHEDULE H – TABLE 1

Required Release Point Determinations

RELEASE POINT NUMBERS	DETERMINATION REQUIRED	FREQUENCY
RP1 OR RP 2	Total Solids Particulates (mg/Nm^3) (Adjusted to 12% CO_2)	Annually
RP1 OR RP2	Sulphur Dioxide (mg/Nm^3)	Annually
RP1 OR RP2	Sulphur Trioxide (mg/Nm^3)	Annually
RP1 OR RP2	Total Nitrogen Oxides (mg/Nm^3) (Adjusted to 7% O_2)	Annually

Records

(H9) Records must be kept of the results of all monitoring of releases of contaminants to the atmosphere for a period of at least 5 years.

Noise Monitoring

(H10) In the event of a complaint about noise that constitutes intrusive noise being made to the administering authority that the administering authority considers is not frivolous or vexatious, the registered operator must undertake monitoring to investigate such a complaint upon written request from the administering authority.

(H11) For the purposes of investigating any complaint of intrusive noise and checking compliance with condition F1 of the noise schedule, monitoring and recording the intrusive noise levels from the environmentally relevant activities must be undertaken for at least the following descriptors, characteristics and conditions:

(i) $L_{Amax,\ Adj\ T}$
(ii) $L_{Abg,\ T}$ (or $L_{A90,\ T}$);
(iii) $L_{AN,\ T}$ (where N equals statistical levels of 10, 50, 90);

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(iv) Max $L_{pA\,T}$;
(v) $L_{Aeq,\,T,}$
(vi) The level and frequency of occurrence of impulsive or tonal noise;
(vii) Atmospheric conditions including temperature, relative humidity and wind speed and direction; and
(viii) Effects due to extraneous factors such as traffic noise.

(H12) In conjunction with the measurement and recording of the intrusive noise, the following parameters and conditions must be recorded:

(a) Location of sample;
(b) Date of sample; and
(c) Time of sample.

(H13) The method of measurement and reporting of intrusive noise levels must comply with the Department of Environment and Heritage Noise Measurement Manual, second edition, March 1995, or more recent editions or supplements to that document as become available.

(H14) The measurement and reporting of intrusive noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.

(H15) Records must be kept of the results of all monitoring of intrusive noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.

Record Keeping

(H16) Any complaint, record, report, assessment or results of determinations required to be made under Schedule H must be kept and maintained at the approved place for at least five (5) years.

Report Submission

(H17) The registered operator must ensure that the results of all monitoring performed in accordance with this development approval are submitted with the initial Annual Return. Each subsequent Annual Return must include details of the results of monitoring performed during the 12 months preceding that Annual Return.

Exception Reporting

(H18) The registered operator must notify the administering authority in writing of any monitoring result, which indicates an exceedance of any approval limit within 28 days of completion of analysis.

(H19) The written notification required by condition number H18 above must include:

(i) The full analysis results, and
(ii) Details of investigation or corrective actions taken, and
(iii) Any subsequent analysis.

Monitoring of Effectiveness and Operational Parameters of the Biofilter

(H20) For the purposes of checking the efficient operation of the biofilter and associated equipment, the registered operator must develop and implement a biofilter efficiency monitoring program. The biofilter efficiency monitoring program must provide for monitoring and recording of the following information:

(i) time and date of measurements;
(ii) at least weekly monitoring of the temperature of the filter bed (minimum of 6 measurements);
(iii) at least weekly monitoring of the moisture content of the filter bed (minimum of 6 measurements);
(iv) at least weekly monitoring of the relative humidity of the air stream being directed to the biofilter prior to entering the biofilter (minimum of 6 measurements);
(v) at least weekly monitoring of the volumetric flow rate to the filter bed (cubic metres per hour);
(vi) at least weekly monitoring of the pressure drop across the scrubber;

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(vii) at least daily checking of the performance of the biofilter by smelling contaminants released to the atmosphere to determine whether noxious or offensive odours are being released;

(viii) during commissioning of the biofilter, at least monthly checking of the performance of the biofilter by measurement of odour concentration (odour units) and rate of odour emission (odour units per second per square metre) of the air stream directed to the biofilter and the contaminants released to the atmosphere from the biofilter.

(ix) after commissioning of the biofilter at least six monthly checking of the performance of the biofilter by measurement of odour concentration (odour units) and rate of odour emission (odour units per second per square metre) of the air stream directed to the biofilter and the contaminants released to the atmosphere from the biofilter.

For the purpose of this condition, the "commissioning" period will be considered to have been completed when the biofilter has operated without incident that adversely affects its performance and in compliance with condition B9 for a period of at least six months.

Environmental Impact Analysis Reporting

(H21) The registered operator must ensure the monitoring data gathered in accordance with this development approval is analysed and interpreted, by an expert in the field of each monitoring program, to assess the nature and extent of any environmental impact of the environmentally relevant activity. The data, analyses and assessments must be submitted to the administering authority with each annual return.

END OF CONDITIONS FOR SCHEDULE H

DEFINITIONS

Words and phrases used throughout this permit[1] are defined below. Where a definition for a term used in this permit[1] is sought and the term is not defined within this permit[1] the definitions provided in the relevant legislation shall be used.

"Act" means the *Environmental Protection Act 1994*

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

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

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

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

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

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

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

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

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

"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;

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- 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*.

"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.

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

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

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

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

"mg/L" means milligrams per litre.

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

"NTU" means nephelometric turbidity units.

"nuisance sensitive place" includes –

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

"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.

"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 approval.

"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.

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"Total Nitrogen" means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen

"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 registered operator or owner / occupier of the land which is the subject of this development approval.

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

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

END OF CONDITIONS

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