



Department of
**Environment and
Heritage Protection**

17-APR-2015

To: Fondarosa Investments Pty Ltd T/A
Trustee for The St Aldwyn Road Unit Trust
PO Box 1021
PARK RIDGE QLD 4125

Attention: Vito Sorbello

Email: vito_sorbello@bigpond.com

Our reference: 322376

Application details

I refer to the application that was received by the administering authority on 15-APR-2015.

Land description: cnr Mt Lindsay Highway & St Aldwyn Rds, North Maclean Lot 2 Plan RP106105, Lot 1 Plan RP190375.

Decision

Your application has been approved and your environmental authority (reference EPPR00503113) is attached.

Should you have any further enquiries, please contact Veronica Lightfoot on telephone 1300 130 372 (option 4).

Yours sincerely

Signature

17/04/2015

Date

Jodie Brackenbury
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Veronica Lightfoot
Permit and Licence Management
Department of Environment and
Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: (07) 3330 5875
Email: palm@ehp.qld.gov.au
Website www.ehp.qld.gov.au
ABN 46 640 294 485

Enclosed

Permit - environmental authority (reference EPPR00503113)

Permit¹

Environmental Protection Act 1994

Environmental authority

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

Permit¹ number: EPPR00503113

Environmental authority takes effect on 17-APR-2015.

The anniversary date of this environmental authority remains 23-APRIL. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Fondarosa Investments Pty Ltd T/A Trustee for The St Aldwyn Road Unit Trust	58-62 Lennonds Road GREENBANK QLD 4124

Environmentally relevant activity and location details

Environmentally relevant activity	Location(s)
63-(1a)(i) Sewage treatment >21 to 100EP - IT or IR	cnr Mt Lindsay Highway & St Aldwyn Rds, North Maclean - Lot 2 Plan RP106105 and Lot 1 Plan RP190375

Additional information for applicants

Environmentally relevant activities

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

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

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

Contaminated land

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation



It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.



Signature

17/04/2015

Date

Jodie Brackenbury
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Veronica Lightfoot
Permit and Licence Management
Department of Environment and Heritage
Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: (07) 3330 5875
Email: palm@ehp.qld.gov.au

Obligations under the *Environmental Protection Act 1994*

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

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

Conditions of environmental authority

With the exception of any variations, the conditions of this environmental authority are the conditions of the attached Development Approval Reference: IPCE00917608 as they related to the licensed activities, where any references to the holder of the development approval are taken to refer to the holder of this environmental authority.

Location: cnr Mt Lindsay Highway & St Aldwyn Rds, North Maclean - Lot 2 Plan RP106105
and Lot 1 Plan RP190375

Relevant activity: 63-(1a)(i) Sewage treatment >21 to 100EP - IT or IR

Attachments: Development Approval Permit

END OF PERMIT

EPA Permit¹ number: IPCE00917608

EPA Permit¹ number:	IPCE00917608
Assessment Manager reference:	
Date application received by EPA:	29-FEB-2008
Permit¹ Type:	Concurrence Response for a MCU involving an ERA
Date of Decision:	
Decision:	
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
	Lot 1 Plan RP190375, Lot 2 Plan RP106105	ERA 15(a) Sewage treatment - operating a standard sewage treatment works having a peak design capacity to treat sewage of 21 or more equivalent persons but less than 100 equivalent persons.

Reasons for inclusion of development conditions

In accordance with section 3.3.18(8) of the Integrated Planning Act 1997 and section 27B of the Acts Interpretation Act 1954, the reasons for the inclusion of development conditions are:

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

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

Additional comments or advice about the application

EPA advice

Values on or associated with the site are as follows.

The EPA's biodiversity planning assessment (BPA) indicates that the site has no known biodiversity values of significance and it is located in a regional landscape and rural production area designated under the *SEQ Regional Plan 2005-2026*. Across the highway, and to the west, however is a patch of remnant vegetation of State significance (regional ecosystem 12.3.3c, comprising habitat for rare and threatened species) partially surrounded by a larger patch of regrowth comprising regional ecosystems that contain 51-80% wetland. This wetland:

- Is located in an Investigation area designated under the SEQ Regional Plan;
- Functions as a buffer to the remnant vegetation of State significance and as an ecological stepping stone for movement of wildlife across the landscape & among other clumps of significant/referrable wetlands nearby;
- May have a species composition and community structure similar to the pre-clearing remnant vegetation comprising an association of regional ecosystems (REs) 12.3.11/12.3.3/12.3.3b/12.3.7:
 - RE 12.3.11 – *Eucalyptus siderophloia*, *E. tereticornis*, *Corymbia intermedia* open forest on alluvial plains usually near the coast. This RE is low in extent of representation in reserves, 'of concern' biodiversity status, and classified as 'of concern' under the *Vegetation Management Act 1999*. It has been extensively cleared and modified in populous southern parts of the bioregion;
 - RE 12.3.3 – *Eucalyptus tereticornis* woodland to open forest on alluvial plains. This RE is low in extent of representation in reserves, 'endangered' biodiversity status, and classified as 'endangered' under the *Vegetation Management Act 1999*. While *E. tereticornis* remains common in the landscape, very few intact stands remain. *E. tereticornis* grows into a very large hollow-forming tree and has a special significance for fauna species, especially in drier areas / times;
 - RE 12.3.3b – *Eucalyptus moluccana* open forest to woodland. Other frequently occurring species include *Eucalyptus tereticornis*, *E. crebra*, *E. siderophloia* and *Corymbia intermedia*, and occurs on margins of Quaternary alluvial plains;
 - RE 12.3.7 – *Eucalyptus tereticornis*, *Melaleuca viminalis*, *Casuarina cunninghamiana* fringing forest. This RE is low in extent of representation within reserves, of mid-dense structure, and forms riverine wetland or narrow fringing riverine wetland. It is important for water birds and freshwater invertebrates and vertebrates such as tortoises; and
- Comprises habitat despite possible lack of full grown or hollow bearing trees.

These wetlands are unique within the locality and offer an ecosystem service that either would not be replaced or extremely difficult to replace. Their loss and other losses that ignore the intent of the SEQ Regional Plan and its policies would contribute to the accumulative loss of biodiversity and landscape character of the region.

Aspects of the SEQ Regional Plan 2005-2026 of particular relevance to the development

The proposed development, on Lot 1 RP190375 and Lot 2 on RP106105, is separated from the wetlands by a highway and likely will not affect the wetlands directly. Even so the following policies are of relevance to the proposal's duty of care:

- Policy 2.1.1 – Protect, manage and enhance the region's nature conservation and biodiversity values and supporting ecological processes, including areas of state, regional and local biodiversity significance; and
- Policy 2.5.1 – Recognise and take account of the environmental values and natural functions of the region's waterways, wetlands, riparian areas and floodplains in land use planning, infrastructure design, natural resources management, and development assessment and decision making.

Recommendation

The EPA has no objection to the proposed material change of use and is satisfied that, with the development exercising duty of care in relation to policies 2.1.1 and 2.5.1 of the SEQ Regional Plan, there should be no significant direct effects upon the adjacent wetlands.

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*.


Parma Nand
Delegate
Environmental Protection Agency
15 April-2008

CONDITIONS OF APPROVAL

Condition for: ERA 15(a) Sewage treatment - operating a standard sewage treatment works having a peak design capacity to treat sewage of 21 or more equivalent persons but less than 100 equivalent persons.

Agency Interest: General

Prevent and/or minimise likelihood of environmental harm

General 1: In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and / or minimise the likelihood of environmental harm being caused.

Maintenance Of Measures, Plant and Equipment

General 2: The operator of an ERA to which this approval relates must:

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

Site Based Management Plan

General 3: From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out.

The SBMP must address the following matters:

- (a) Environmental commitments – a commitment by senior management to achieve specified and relevant environmental goals.
- (b) Identification of environmental issues and potential impacts.
- (c) Control measures for routine operations to minimise likelihood of environmental harm.
- (d) Contingency plans and emergency procedures for non-routine situations.
- (e) Organisational structure and responsibility.
- (f) Effective communication.
- (g) Monitoring of contaminant releases.
- (h) Conducting environmental impact assessments,
- (i) Staff training.
- (j) Record keeping.
- (k) Periodic review of environmental performance and continual improvement.

General 4: The SBMP must not be implemented or amended in a way that contravenes any condition of this approval.

Annual Monitoring Report

- General 6:** An annual monitoring report must be prepared each year and presented to the administering authority when requested. This report shall include but not be limited to:
- (a) a summary of the previous twelve (12) months monitoring results obtained under any monitoring programs required under this approval and, in graphical form showing relevant limits, a comparison of the previous twelve (12) months monitoring results to both this approvals limits and to relevant prior results;
 - (b) an evaluation/explanation of the data from any monitoring programs;
 - (c) a summary of any record of quantities of releases required to be kept under this approval;
 - (d) a summary of the record of equipment failures or events recorded for any site under this approval; and
 - (e) an outline of actions taken or proposed to minimise the environmental risk from any deficiency identified by the monitoring or recording programs.

Trained / Experienced Operator(s)

- General 7:** The operation of the waste treatment system and pollution control equipment must be carried out by a person(s) with appropriate experience and/or qualifications to ensure the effective operation of that treatment system and control equipment.

Equipment Calibration

- General 8:** All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.

Records

- General 9:** Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
- General 10:** All records required by this approval must be kept for 5 years.

Notification

- General 11:** Telephone the EPA's Pollution Hotline on 1300130 372 or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
- General 12:** Written advice must be provided within fourteen (14) days following any event as identified in condition "General 11" of the following information:
- the location of the event;
 - the time of the event;
 - the time the registered operator became aware of the event;
 - the suspected cause of the event;
 - a description of the resulting effects of environmental harm (including nuisance) caused by the event; and / or environmental harm (including nuisance) caused by the event;
 - actions taken to mitigate any environmental harm caused by the release; and
 - proposed actions to prevent a recurrence of the event.

Alterations

- General 13:** 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 for by this approval.

Agency Interest: Air

NA 15/4/08

Nuisance

Air 1: The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive or commercial place.

Agency Interest: Land

Land Disposal

Land 1: The only contaminants permitted to be released underground are treated sewage effluent as shown in Attachment 1 Figure 1 entitled: *Effluent Disposal Areas*, submitted with the application for this development permit and in compliance with the release limits stated in Attachment 2 Table 1 - *Release Quality Characteristics Limits and Monitoring Frequency*.

Land 2: Monitoring must be undertaken and records kept of a monitoring program of contaminant releases to the irrigation areas at the monitoring points, frequency, and for the parameters specified in Attachment 2 Table 1 - *Release Quality Characteristics and Monitoring Frequency*.

Land 3 Notwithstanding the quality characteristics limits specified in Attachment 2, Table 1 – *Release Quality Characteristics Limits and Monitoring Frequency*, releases of treated sewage effluent must not have any properties nor contain any organisms or other contaminants in concentrations that are capable of causing environmental harm.

Land 4: The daily volume of contaminants released to the irrigation areas must be determined or estimated by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.

Land 5: Notices must be prominently displayed on areas undergoing underground effluent dispersion, warning the public that the area is being used for subsurface effluent irrigation and not to enter the said area. These notices must be maintained in a visible and legible condition.

Land 6: A minimum of 4,224m² of land, excluding any necessary buffers, must be provided for the irrigation of treated effluent to land.

Land 7: The average daily irrigation rate (measured over a calendar month on a daily basis) must not exceed 9800 litres/day with a maximum release in any one day of 15000 litres/day.

Land 8: All grass/vegetation clippings must be removed from the contaminant release area upon harvesting.

Land 9 : The sub surface irrigation of effluent must be carried out in a manner such that:

- (a) vegetation is not damaged;
- (b) soil erosion and soil structure damage is avoided;
- (c) there is no surface ponding, or runoff of effluent;
- (d) percolation of effluent beyond the plant root zone is minimised;
- (e) the capacity of the land to assimilate nitrogen, phosphorus, salts, organic matter as measured by biochemical oxygen demand and water is not exceeded; and
- (f) the quality of ground water is not adversely affected.

Land 10 The flow from the sewage treatment plant to the wet weather storage tanks must be determined by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.

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- Land 11:** A minimum wet weather effluent storage capacity of 128,000 litres must be provided.
- Land 12:** Excess effluent beyond the wet weather storage capacity must be removed from the site by a licensed liquid waste contractor.
- Land 13:** Records must be kept of all liquid waste removal events associated with condition "Land 12". Records are to include details regarding the dates, volumes, destination and licensed transporter.

Preventing contaminant release to land

- Land 14:** Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

Soil Impact Monitoring

- Land 15:** The operator of the ERA must monitor and keep records of the soil characteristics and at the frequency specified in Attachment 2, Table 2 – *Soil Impact Monitoring*. Monitoring is to include the taking of top-soil and sub-soil samples from monitoring sites as identified in Attachment 1, Figure 1 entitled: *Effluent Disposal Areas*.

Agency Interest: Noise

- Noise 1:** Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

Agency Interest: Social

Complaint Response

- Social 1:** The operator of the ERA must record the following details for all complaints received and provide this information to the administering authority on request:
- (a) time, date, name and contact details of the complainant;
 - (b) reasons for the complaint;
 - (c) any investigations undertaken;
 - (d) conclusions formed; and
 - (e) any actions taken.

Agency Interest: Waste

Waste handling

- Waste 1:** All regulated waste removal from the site must be removed by a person who holds a current approval to transport such waste under the provisions of the *Environmental Protection Act 1994*.

Off site movement of waste

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Waste 2: Where regulated waste is removed from site (other than by a release as permitted under another condition of this development approval), the registered operator must monitor and keep records of the following:

- (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.

Waste 3: All waste load out areas for solid wastes generated from the sewage treatment plant are to be bunded to contain any spillages of waste material.

Agency Interest: Water

Release to waters

Water 1: Contaminants must not be released from the site to any waters or the bed and banks of any waters.

Stormwater management

Water 2: Except as otherwise provided by the conditions of this development approval, the ERA must be carried out by such reasonable and practicable means necessary to prevent the contact of incident rainfall and stormwater runoff with waste or other contaminants.

Water 3: Where it is not practical to prevent contact as required by condition "Water 2", the ERA must be carried out by such reasonable and practicable means necessary to minimise such contact.

Water 4: Any spillage of waste, 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.

Water 5: All stormwater treatment devices used to treat stormwater from the site must be maintained in proper and efficient working condition.

Sewage Treatment plant alarms, warnings and failure mode

Water 6: The Sewage Treatment Plant must be fitted with pump failure alarms and high level alarms to warn of imminent plant overflow. All alarms must be able to operate without mains power. In the event of a power outage the plant shall not release effluent to the irrigation area or have any release of sewage to the environment.

Treated Effluent

Water 7: Pipelines and fittings associated with the effluent irrigation system must be clearly identified. Lockable valves or removable handles must be fitted to all release pipes situated in public access areas.

Contaminant Releases Caused by Rainfall

Water 8: Erosion and sediment controls that minimise off-site removal of sediments and divert other stormwater from entering the site, must be provided and maintained during site construction works associated with the sewage treatment plant and irrigation areas. Such measures must include, but not be limited to, diversion drainage works, siltation fences and temporary sediment traps.

15/11/08

Attachment 1

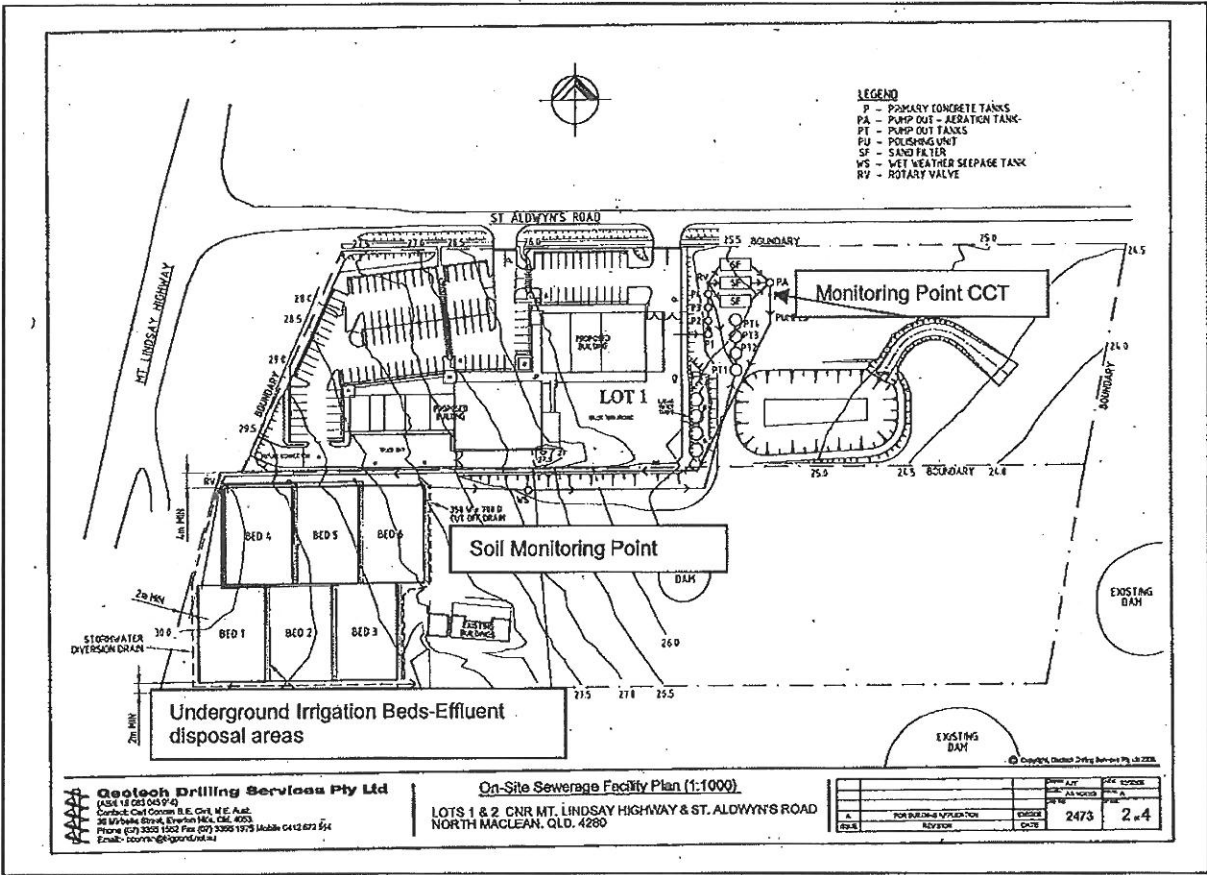


Figure 1 Effluent Disposal Areas

Attachment 2

Table 1 – Release Quality Characteristics and Monitoring Frequency

15/1/08

Release Limits							
Monitoring Point	Quality Characteristics	Units	Minimum	Median	95%ile	Maximum	Monitoring Frequency
CCT	pH	pH units	6.5	-	-	8.5	Monthly
CCT	E.coli	cfu/100ml	-	<10.0 ³	-	-	Monthly

Monitoring Point CCT – Outlet of Chlorine Contact Tank

Table 2 - Soil Impact Monitoring

Quality Characteristics	Units	Monitoring Frequency
pH	pH units	On commencement and biennially thereafter
Total Nitrogen as N	mg/kg	On commencement and biennially thereafter
Extractable Phosphorus	mg/kg	On commencement and biennially thereafter

DEFINITIONS

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

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

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

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"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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

" $L_{A10, adj, 10 mins}$ " 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.

" $L_{A1, adj, 10 mins}$ " 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.

Mr 15/1/08

"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.

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

"protected area" means –

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

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

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

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

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

"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.

"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

11.5/108

