Permit[1]

Environmental Protection Act 1994

Environmental authority

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

Permit[1] number: EPPR00510113

Environmental authority takes effect on 06-APR-2016

The anniversary date of this environmental authority remains 17 June. An annual return and the payment of the annual fee will be due each year on this date.

Environmental authority holder(s)

Name	Registered address
Butlers Yarwun Quarries Pty Ltd	12 Laver Street GLADSTONE QLD 4680

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16-(2c) Extractive >1000000t 16-(3c) Screening >1000000t yr	Guerassimoff Road TARGINNIE QLD 4694 Lot 32 on Plan SP253027 and Lot 31 on Plan SP253027

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).

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

Contaminated land

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

06-APR-2016

Date

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

Enquiries:
Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
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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

Location: Guerassimoff Road TARGINNIE QLD 4694

Relevant activity/ies:

16-(2C) EXTRACTIVE >1000000T

16-(3C) SCREENING >1000000T YR

The conditions of this environmental authority are the conditions of the attached Development Approval reference SPDE01068510, 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.

END OF PERMIT

Attachments:

Development Permit SPDE01068510

Department of Environment and Resource Management

GT2010/3522

GT922.

Permit

Sustainable Planning Act 2009

DERM Permit [1] number: SPDE01068510

This notice is issued by the Department of Environment and Resource Management pursuant to section 334 (decision notice) of the Sustainable Planning Act 2009 ("the Act").

Assessment manager reference (if any):	
Date application received:	05-Oct-2010
Permit type:	Development Permit
Date of decision:	27-OCT-2010
Decision:	The Chief Executive, Department of Environment and Resource Management (DERM) decision notice for the aspect of development involved with the application the subject of this Notice is as follows.Development Approval for a MCU involving an ERA. The application was decided on 27-OCT-2010 and is approved subject to conditions. The application is taken to have been approved under section 331 of the Act. The application is approved, and the approval is a development permit. The application is approved subject to the conditions attached to this Notice, and the conditions are stated to be assessment manager conditions

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management.

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Department of Environment and Resource Management
www.derm.qld.gov.au ABN 46 640 294 485

Queensland Government

Relevant laws and policies:	Sustainable Planning Act

Jurisdiction(s):

Jurisdiction	Legislation
Development Approval for a MCU involving an ERA.	***Sustainable Planning Regulation 2009* - Schedule 3, Part 1, Table 2, item 1**

Development Description(s)

Property	Lot/Plan	Aspect of Development
Port Curtis Way,TARGINIE QLD 4694	Lot 30 Plan RP801113	ERA 16 Extractive and screening activities Threshold 2(d) - extracting, other than by dredging, in a year, more than 1000000t of material ERA 16 Extractive and screening activities Threshold 3(c) - screening, in a year, more than 1000000t of material. ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

Reason(s) for inclusion of conditions

In accordance with section 289 of the *Sustainable Planning Act 2009*, the reason(s) for inclusion of conditions stated in this permit required by the concurrence agency response for the application are as follows.

Approved plans / specifications

Document No.	Document Name	Date
Environmental Management Plan – Yarwun Quarries	Environmental Management Plan Incorporating Site Based Management Plans – Yarwun Quarries	August 2010

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Additional comments or advice about the application

Additional information for applicants

Delegate
Don Arnold
Delegate, Chief Executive administering
Department of Environment and Resource Management
9/11/2010

CONDITIONS

This approval only permits the following activities to be undertaken to the extent that the activity is otherwise lawful, and authorised.

ERA 16 Extractive and screening activities Threshold 2(d) - extracting, other than by dredging, in a year, more than 1000000t of material.

ERA 16 Extractive and screening activities Threshold 3(c) - screening, in a year, more than 1000000t of material.

ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3.

ERA 21 Motor vehicle workshop operation- operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles.

- **Schedule A – General**
- **Schedule B – Air**
- **Schedule C – Land**
- **Schedule D – Noise**
- **Schedule E – Social**
- **Schedule F – Waste**
- **Schedule G – Water**

Schedule A - General Conditions

A1 **Prevent and/or minimise likelihood of environmental harm**

A person carrying out an environmentally relevant activity (ERA) to which this approval relates, must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused.

A2 A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

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A3 **Site Based Management Plan**

From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all potential 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 be approved by the administering authority prior to the commencement of activities on site.

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 the 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) Complaint Management
(l) Periodic review of environmental performance and continual improvement.
(m) Waste management plans/procedures to be implemented in accordance with the conditions listed in Schedule F of this approval
(n) Stormwater management plans/procedures to be implemented in accordance with the conditions listed in Schedule G of this approval.

A4 The SBMP must not be implemented or amended in a way that contravenes any condition of this approval. If there is a potential conflict between the SBMP and the conditions of this approval, the conditions of this approval take precedent.

A5 **Record Keeping**

The operator of an ERA authorised by this development approval must record, compile and keep all data required by this approval. This data must be made available to the administering authority if requested.

A6 All records required by this approval must be kept for 5 years.

A7 **Notification**

Any emergency, incident or event, which results in the release of contaminants not in accordance with, or reasonably expected to be in accordance with the conditions of this approval must be reported by telephone to the administering authorities' pollution hotline or the district office located in the area where the release occurred. Any such release must be reported as soon as practicable, but no later than 24 hours after the holder of the development approval becomes aware of the release.

A8 **Information to follow notification**

A written notice detailing the following information must be provided to the administering authority within 7 days of any advice provided in accordance with condition [A7]:

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a) the name of the operator, including their approval / registration number;
b) the name and telephone number of a designated contact person;
c) the quantity and nature of the substance released;
d) vehicle and registration details;
e) the names of person/s involved in the release and/or cleanup;
f) the location and time of the release;
g) the suspected cause of the release;
h) a description of the effects of the release;
i) details of the area of impact;
j) the results of any sampling performed in relation to the release,
k) actions taken to mitigate any environmental harm caused by the release and details of the success of these actions; and
l) proposed actions to prevent a recurrence of the release.

A9 **Third party environmental auditing**

Compliance with the conditions of this approval must be audited within 28 days of the commencement of the activity

A10 The audit identified in condition [A9] must be conducted by a suitably qualified third party auditor, nominated by the approval holder and accepted by the administering authority.

A11 In relation to the audit required by condition [A9], the auditor must submit a copy of the final version of the auditors report to the administering authority within 28 days of completing the audit.

A12 The total financial cost of the audit required by condition [A9], will be the responsibility of the holder of this approval

A13 **Financial Assurance**

Provide financial assurance in the amount required by the administering authority prior to the commencement of activities proposed under this environmental authority

A14 The financial assurance must be provided in the form of an unconditional and irrevocable bank guarantee in favour of the administering authority.

A15 The total financial cost in establishing the financial assurance identified in condition A13 above will be the responsibility of the holder of this approval.

A16 The financial assurance is to remain in force until the administering authority is satisfied that no claim on the assurance is likely; and the site has been rehabilitated in accordance with the conditions of this development approval.

A17 **Environmental Harm**

If a person carrying out an environmentally relevant activity (ERA) to which this approval relates, becomes aware of material or serious environmental harm as a result of carrying out an activity, then the said activity must cease immediately, and remedial measures must be implemented

End of Conditions for Schedule A

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Schedule B - Air

B1 **Nuisance**

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

B2 **Dust Nuisance**

The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any nuisance sensitive place.

B3 Dust suppression measures must be implemented and maintained on site to prevent the movement of dust, created as a result of the activity, past the site boundaries.

B3 Release of dust or particulate, exceeding the following levels, when measured at any nuisance sensitive place, is considered as an environmental nuisance:

a) dust deposition of 4.0 grams per square metre per month, when measured in accordance with Australian Standard AS 3580.10:2003 Methods of sampling and analysis of ambient air – Determination of particulate matter – Deposited matter – Gravimetric method (or more recent edition); or

b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM_{10}) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging period, at a nuisance sensitive place downwind of the site, when monitored in accordance with:

i) Australian Standard AS 3580.9.6 'Ambient Air – Particulate Matter – Determination of suspended particulate PM_{10} high-volume sampler with size – selective inlet – gravimetric method'; or any alternative method of monitoring PM_{10} that may be permitted by the Air Quality Sampling Manual as published from time to time by the administering authority.

B4 When requested by the administering authority, dust and particulate monitoring must be undertaken within a reasonable timeframe nominated by the administering authority, to investigate any complaint of environmental nuisance caused by dust and/or particulate matter. The results of the monitoring must be notified to the administering authority within 7 days following completion of the monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected nuisance sensitive place and at upwind control sites and must include:

a) for a complaint alleging dust nuisance, dust deposition; and

b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM_{10}) suspended in the atmosphere over a 24hr averaging time.

End of Conditions for Schedule B

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Schedule C – Land

C1 Rehabilitation

As soon as practicable, but no later than 6 months after completing the extraction activities, disturbed areas of the site must be rehabilitated in accordance with the rehabilitation management plan mentioned in condition [C2]. This includes rehabilitating all disturbed areas such as slope, borrow pits, stockpile storage, and sediment basins.

C2 Rehabilitation Management Plan

Not more than two (2) years after the commencement of activities on site, the holder of this approval must complete an investigation into rehabilitation of disturbed areas and submit a site rehabilitation plan for the administering authority's review, comment and acceptance. On acceptance of the plan it must be implemented immediately and must be reviewed every 2 years while operations are being undertaken on site.

The rehabilitation management plan must, at a minimum:

a) map existing areas of rehabilitation;
b) develop design objectives for rehabilitation of disturbed areas and post quarry land uses across the site;
c) specify soil characteristics, soil analysis, soil separation for use on rehabilitation;
d) detail rehabilitation methods applied to areas;
e) contain landform design criteria including end of quarry design;
f) detail how landform design will be consistent with the proposed future use;
g) Identify success criteria for areas and itemise revegetation criteria;
h) explain planned native vegetation rehabilitation areas and corridors;
i) identify at least a minimum of one (1) reference and three (3) rehabilitation sites to be used to develop rehabilitation success criteria;
j) describe rehabilitation indicators and the monitoring program to be used;
k) develop a contingency plan for rehabilitation maintenance or redesign;
l) describe end of quarry landform design plan and post quarry land uses across the site.

C3 Maintenance of rehabilitated areas must take place to ensure:

a) erosion control measures remain effective;
b) plants show healthy growth;
c) any weed infestations are removed and prevented from reoccurring;
d) plants that have not taken, died or have become diseased are removed and replaced as soon as practical;
e) significant plant losses are examined for possible causes;
f) the rehabilitated land should be capable of withstanding normal disturbances such as fire or flood; and
g) rehabilitated ecosystems must be sustainable in the long-term.

C4 For excavations that are to remain at the completion of extraction activities, the holder of the registration certificate:

a) must provide safe access to the excavation; and
b) must ensure that the excavated areas are surrounded by a rock bund and/or fences to make the area safe to the general public; and
c) must ensure that water quality in any remaining excavation or from seepage released from the site, complies with the appropriate water quality guidelines nominated by the Queensland Water Quality Guidelines; however
d) if the quality of waters in the vicinity of the extraction does not comply with those Guideline

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values due to the occurrence of natural minerals sourced from the undisturbed geological setting, c) does not apply to the extent of the natural contamination.

C5 Topsoil must be:

a) removed, where practicable, from areas to be significantly disturbed prior to the commencement of extraction activities; and
b) stockpiled in a manner that will preserve its biological and chemical integrity; and used for onsite rehabilitation purposes.

C6 **Protecting Land from Contaminants**

Activities on site must be conducted in a way that prevents any potential or actual release of contaminants to land

C7 The storage and handling of all contaminants, wastes and other materials on site must be:

a) contained within on-site containment systems; and
b) controlled in a manner that prevents any release to the environment

C8 All liquid chemical and waste container storages must be bunded such that the capacity of the bund is sufficient to contain at least 100% of the largest container plus 25% of the second largest container.

C9 All bunding must be constructed of materials which are impervious to the materials stored and transferred therein.

C10 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.

Note: All petroleum product storages must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

C8 **Spill Kit(s)**

Appropriate spill kit(s) and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site.

C9 All relevant personnel operating under this approval must be trained in the use of the spill kit(s).

End of Conditions for Schedule C

Schedule D – Noise

D1 **Nuisance**

Noise resulting from the activity must not cause an environmental nuisance at any nuisance sensitive place

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D2 Noise from activities must not result in measured levels greater than those specified in the following tables.

Noise limits – Nuisance sensitive place:

Noise level dB(A) measured as:	Monday to Saturday			Sundays and public holidays		
	7am to 6pm	6pm to 10pm	10pm to 7am	9am to 6pm	6pm to 10pm	10pm to 9am
$L_{A90, adj, 15 mins}$	lesser of **bg+3** or **48**	lesser of **bg+0** or **40**	lesser of **bg+0** or **40**	lesser of **bg+0** or **40**	lesser of **bg+0** or **40**	lesser of **bg+0** or **40**
$L_{A10, adj, 15 mins}$	lesser of **bg+5** or **50**	lesser of **bg+5** or **45**	lesser of **bg+0** or **40**	lesser of **bg+5** or **45**	lesser of **bg+5** or **40**	lesser of **bg+0** or **35**
$L_{A1, adj, 15 mins}$	lesser of **bg+10** or **55**	lesser of **bg+10** or **50**	lesser of **bg+5** or **45**	lesser of **bg+10** or **50**	lesser of **bg+10** or **45**	lesser of **bg+5** or **40**

bg = background noise level, $L_{A90, 15 mins}$.
In the event that measured bg is less than 25 dB(A), then 25 dB(A) is to be used.

The noise levels specified are measured outdoors in the free field at a location at least 4m from the external facade of a building at the nuisance sensitive place

Measured levels include background plus the activity

D3 When requested by the administering authority, noise monitoring must be undertaken and recorded, to investigate any complaint about noise nuisance being caused by the activity, and the noise monitoring results notified to the administering authority within 7 days

D4 The method of measurement and reporting of noise levels in response to any noise monitoring conducted under this approval must be in accordance with the most recently published edition of the administering authorities Noise Measurement Manual or an equivalent authoritative document approved by the administering authority (eg AS 1055 Acoustics – Description and measurement of environmental noise)

D5 **Blasting**

Blasting activities must be carried out in such a manner that if blasting noise should propagate to a nuisance sensitive place, then the airblast overpressure must not:

a) be more than 115dB Lin Peak for 4 out of any 5 consecutive blasts; and
b) exceed 120 dB Lin Peak for any single blast

Blasting must not occur on Sundays and public holidays. Excluding emergency circumstances (noted below), blasting can only occur during the hours of 9:00am to 3:00pm Monday to Friday and 9:00am to 1:00pm on Saturdays.

Blasting may not be conducted at times different from the prescribed blasting schedule except in emergency circumstances where rain, lightning, other atmospheric conditions or the safety of the principle holder or public requires unscheduled detonation.

D6 Within 5km of a nuisance sensitive place when blasting is carried out, a monitoring program must be implemented to measure airblast overpressure & vibration in accordance with the conditions of this code.

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Also, when requested by the administering authority, airblast overpressure & vibration monitoring and recording must be undertaken to investigate any complaint of nuisance.

The results of any blasting monitoring must be reported to the administering authority within 14 days.

In conjunction with monitoring, records must be kept of the following:
a) location, date and time of recording;
b) location of the blast(s) within the site (including which bench level);
c) atmospheric conditions including temperature, relative humidity, temperature gradient (if such information can be obtained), cloud cover, wind speed and direction;
d) distance from blast site to noise affected building(s) or structure(s);
e) airblast overpressure level (dBLin Peak);
f) peak particle velocity (mms-1); and
g) effects due to extraneous factors.

In any area, when requested by administering authority, a monitoring program must be developed and implemented to measure airblast overpressure & vibration at a nuisance sensitive place in accordance with the conditions of this approval.

D7 Vibration must not be caused, permitted or allowed to transmit from blasting operations, which causes or is likely to cause a nuisance at any nuisance sensitive place.

Vibration from blasting operations is not considered to be a nuisance if monitoring shows that vibration does not exceed the following levels in the time periods specified in the table below.

Vibration parameter	**Vibration measured at a nuisance sensitive place**	
	Monday to Friday 9am to 3pm **Saturday 9am to 1pm**	**Sundays and public holidays**
Peak particle velocity (mms^{-1}).	Blasting operations must be carried out in such a manner that if ground vibration should propagate to a noise sensitive place, the ground-borne vibration must not exceed: 1. 5 mms^{-1} for 4 out of any 5 consecutive blasts initiated; and 2. any single blast not to exceed 10 mms^{-1}.	No blasting to occur.

End of Conditions for Schedule D

Schedule E – Social

E1 **Complaint Response**

The operator of the activity 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) the allegation made by the complainant;
c) details of communications with the complainant;

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d) any investigations undertaken;
e) conclusions formed; and any actions taken

E2 The operator of the activity must attempt to make contact with any complainant within 24 hours of a complaint being received and initiate complaint resolution measures as set out in any Site Based Management Plan developed for the site.

End of Conditions for Schedule E

Schedule F – Waste

F1 **Waste Management**

From commencement of an ERA to which this approval relates, a waste management plan must be implemented. The Waste Management Plan must address at least the following matters:

a) the types and amounts of waste generated by the ERA;
b) how the waste will be dealt with, including a description of the types and amounts of waste that will be dealt with under each of the waste management practices mentioned in the waste management hierarchy (section 10 of the Environmental Protection (Waste Management) Policy 2000);
c) A record of all regulated waste (excluding Trackable waste) must be kept detailing the following information;
    i. Date of pickup of waste;
    ii. Description of waste;
    iii. Quantity of waste;
    iv. Origin of the waste; and;
    v. Destination of the waste
d) procedures for identifying and implementing opportunities to improve the waste management practices employed e.g. opportunities for beneficial reuse of biosolids;
e) procedures for dealing with accidents, spills and other incidents that may impact on the waste management;
f) details of any accredited management system employed, or planned to be employed, to deal with the waste;
g) how often the performance of the waste management practices will be assessed (at least annually); and
h) the indicators or other criteria on which the performance of the waste management practices will be assessed.

F2 All waste (not including overburden) generated in carrying out the activity must be disposed of at a facility that can lawfully accept that waste

F3 Waste, including vegetation matter, must not be burnt on site

End of Conditions for Schedule F

Schedule G – Water

G1 **Stormwater Management**

Contaminants other than settled/treated stormwater runoff waters must not be released from the site to surface waters or the bed or banks of any watercourse.

G2 The maintenance and cleaning of vehicles and any other equipment or plant must be carried out in areas where contaminants cannot be released to any waters.

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G3 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 waters.

G4 Erosion protection measures and sediment control measures must be implemented and maintained to minimise:
a) erosion of soils in areas disturbed by the activity; and
b) the release of sediment to any waters.

G5 Water velocities through temporary diversions around the works area must be maintained similar to pre-work velocities during such diversions, and must be re-instated once quarrying works are completed.

G6 Suitable banks and/or diversion drains must be installed and maintained so that all stormwater originating from land up gradient of disturbed areas, including extraction and storage areas is diverted away from entering these areas and any ponds or other structures used for the storage or treatment of contaminants or waste.

G7 All waters flowing over disturbed areas including but not limited to the extraction area and storage areas, must be diverted to an onsite sediment basin

G8 Minimum design specifications for on site sediment control measures are as follows:
a) the minimum size of any sediment basin must be sufficient to contain the contaminated runoff expected from a 24 hour storm with an average recurrence interval of 1 in 5 years.
b) water retaining structures must be designed to prevent the influx of surface water from adjacent water courses from a 24 hour storm with an average recurrence interval of 1 in 10 years.
c) drainage structures must be sufficient to convey the runoff from a 24 hour storm with an average recurrence interval of 1 in 10 years.
d) in the event of site flooding, flow paths must be designed to minimise re-suspension of fines or slimes.
e) site discharge spillways must be constructed of, and built in, competent materials.
f) during sediment basin dewatering, the measured concentration of total suspended solids in any discharge to waters, must be less than 40mg/L.

G9 All structures used for the storage or treatment of contaminants or wastes at or on the authorised place must be constructed, installed and maintained:
a) so as to minimise the likelihood of any release of contaminants or wastes through the bed or banks of the structure to any waters (including groundwater)
b) so that a freeboard of not less than 0.5 metres is maintained at all times, except in emergencies; and
c) so as to ensure the stability of the structures' construction

G10 Contaminants must not be directly or indirectly released to any waters, including groundwater, or the bed or banks of any waters, accept as specifically authorised under the water conditions of this approval.

G11 A person carrying out an activity to which this approval relates must not release stormwater run-off into waters, a roadside gutter or stormwater drain that results in a build-up of earth in waters, a roadside gutter or stormwater drain.

End of Conditions for Schedule G

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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.

Activity means –
an environmentally relevant activity, or associated auxiliary activity to which this approval relates.

Administering authority means –

a) for a matter, the administration and enforcement of which has been devolved to a local government under section 514 of the *Environmental Protection Act 1994* – the local government; or
b) for all other matters – the Chief Executive of the Department of Environment and Resource Management; or
c) another State Government Department, Authority, Storage Operator, Board or Trust, whose role is to administer provisions under another enacted legislation.

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

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

Bund means –

a) an earth mound or similar structure (e.g. a concrete block wall), whether impervious or not, constructed to contain spilled material (e.g. petrol, diesel, oil etc.); or
b) a structure to prevent or reduce soil erosion.

Contaminant means – (Section 11 of the EP Act)

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

Deposit means –
drop, place or throw a contaminant in waters or onto a place or releases the contaminant or otherwise cause it to move into waters or onto a place.

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.

Effective dust control system means –
a method, process, procedure or course of action that if taken, will minimise the likelihood of environmental nuisance being caused.

Environmental nuisance means – (Section 15 of the EP Act)

unreasonable interference or likely interference with an environmental value caused by:

a) noise, dust, odour, light; or
b) an unhealthy, offensive or unsightly condition because of contamination; or

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c) another way prescribed by regulation (e.g. unreasonable noise or dust emissions).

Impulse adjustment means –
an adjustment applied if impulsiveness is a significant characteristic of the sound within a measurement time interval. If impulsive components are clearly audible, the adjustment will be 5 dB(A). If the components are only just detectable, an adjustment of 2 dB(A) will be appropriate.

Infrastructure includes –
roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, pipelines, powerlines, airstrips, helipads etc., which are constructed or installed specifically for the project.

Nuisance sensitive place means –

any of the following places:

a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
b) a motel, hotel or hostel; or
c) a library, childcare centre, kindergarten, school, college, university or other educational institution; or
d) a hospital, surgery or other medical institution; or
e) a park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment); or
f) a protected area; or
g) a place used as an office, 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.

Person means –
as per Part 8 of the *Acts Interpretation Act 1954*

Prescribed water contaminant –
as per Schedule 9 of the *Environment Protection Regulation 2008.*

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.

Registration certificate means –
a certificate given under section 73F of the EP Act to the principal holder of an ERA.

Release of a contaminant, includes –
a) to deposit, discharge, emit or disturb the contaminant; and
b) to cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
c) to allow the contaminant to escape; and
d) to fail to prevent the contaminant from escaping.

Site means land 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.

9/11/10

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

TSS means – total suspended solids.

Water means –
a) water in a watercourse, lake or spring;
b) underground water;
c) overland flow water; or
d) water that has been collected in a dam.

Watercourse means –
the meaning assigned to it in schedule 4 of the *Water Act 2000*

END OF CONDITIONS

9/11/16