

EPA Permit¹ number: IPCE00846008

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Assessment Manager reference:	
Date application received by EPA:	7 November 2007
Permit¹ Type:	Concurrence Response for a MCU involving an ERA
Date of Decision:	
Decision:	3 March 2008
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
8 Bulk Terminals Drive, Port of Brisbane	Land Described as Part of Lot 83 on SP108337	- ERA 22(c) Screening etc. materials - screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining tenement or petroleum authority) or by dredging using plant or equipment having a design capacity of more than 100 000 t, a year. - ERA 45 Crushing, milling or grinding - processing products (other than agricultural products and materials mentioned in Item 22) including, for example, uncured rubber and chemicals, by crushing or grinding or milling in works having a design production capacity of 5 000 t or more a year. - ERA 60 Cement manufacturing - manufacturing cement.

Reasons for inclusion of development conditions

In accordance with section 3.3.18(7) of the *Integrated Planning Act 1997* and section 27B of the Acts Interpretation Act 1954, the reasons for the inclusion of development conditions are:

¹ 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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- 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*.

Additional comments or advice about the application

Nil

Additional information for applicants

Nil

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 22 business 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*.



Paul Neilson
Environmental Services
Environmental Protection Agency

Date: 3/3/08

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ERAs 22(c), 45 and 60 - CONDITIONS OF APPROVAL

Agency Interest: General

Prevent and/or Minimise Likelihood of Environmental Harm

- (G1) 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 from being caused.

Display of Development Approval

- (G2) A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

Maintenance of Measures, Plant and Equipment

- (G3) The registered operator of an ERA to which this approval relates must:
- install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and
 - maintain such measures, plant and equipment in a proper and efficient condition; and
 - operate such measures, plant and equipment in a proper and efficient manner.

Alterations

- (G4) 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.

Records

- (G5) The registered operator of the ERA to which this approval relates must record, compile and keep all monitoring results required by this development approval and present this information to the administering authority upon request.
- (G6) All records required by this development approval must be kept for at least five (5) years, except where stated otherwise in a condition of this approval.

Cease Activities in Event of Material or Serious Environmental Harm Occurring

- (G7) If the registered operator of the ERA to which this approval relates becomes aware of material environmental harm or serious environmental harm as a result of carrying out the environmentally relevant activity (ERA) then the said activities must cease immediately.

Calibration

- (G8) All instruments and 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.

Trained/Experienced Operator(s)

- (G9) The registered operator of the ERA to which this approval relates, including but not limited to employees and contract staff, must be:
- trained in the procedures and practices necessary to:
 - comply with the conditions of this development approval, and
 - prevent environmental harm during normal operation and emergencies; or
 - under the close supervision of such a trained person.

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Monitoring

- (G10) An experienced and suitably qualified person(s) must conduct any monitoring required by this approval.

Environmental Management Plans

- (G11) Within 180 days from the date that this development approval is granted, the registered operator of the ERA to which this approval relates must complete and implement the following whole-of-site management plans so that they meet the objectives and/or requirements of this development approval and any other approval to which an ERA relates:
- a) Air Management Plan; and
 - b) Stormwater Management Plan; and
 - c) Waste Management Plan; and
 - d) Noise Management Plan.
- (G12) In finalising the requirements of all of the Environmental Management Plans referred to in conditions G11, the registered operator of the ERA to which this approval relates must incorporate the comments made by the administering authority.
- (G12) Details of any amendment of the Environmental Management Plans must be submitted to the administering authority with the annual return which immediately follows the enactment of any such amendment.
- (G13) The Environmental Management Plans must not be implemented or amended where such implementation or amendment would result in a contravention of any condition of this development approval.
- (G14) A copy of the Environmental Management Plans must be kept at the approved place in a location readily accessible to personnel carrying out the activity.

Agency Interest: Air

Odour Nuisance

- (A1) The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activities must not cause an environmental nuisance at an odour sensitive place.

Dust Nuisance

- (A2) The release of dust and/or particulate matter resulting from the activities must not cause an environmental nuisance at any dust sensitive place.
- (A3) Dust and particulate matter must not exceed the following levels when measured at any dust sensitive place:
- a) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions); or
 - b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a dust sensitive place downwind of the site, when monitored in accordance with:
 - (i) Australian Standard AS 3580.9.6 of 2003 (or more recent editions) 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method'; or
 - (ii) any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

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- (A4) Upon request by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include:
- for a complaint alleging dust nuisance, dust deposition; and
 - 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) (PM10) suspended in the atmosphere over a 24hr averaging time.
- (A5) Where it is determined by an authorised person that dust and particulate monitoring results indicate environmental nuisance, you must:
- address the complaint, including the use of appropriate dispute resolution if required; and
 - immediately implement dust abatement measures so that emissions from site activities do not result in further nuisance.
- (A6) Trafficable areas must be maintained to prevent environmental nuisance.

Dust Control

- (A7) The holder of this development approval must take all reasonable and practicable measures necessary to prevent spillage and/or loss of particulate matter or windblown dust from conveyors, hoppers and any open stockpile areas.

The Release of Contaminants to the Atmosphere

- (A8) The release of contaminants to the atmosphere from a point source must only occur from those release points identified in Table 1 - Release of Contaminants and must be directed vertically upwards without any impedance or hindrance.
- (A9) Contaminants must be released to the atmosphere from a release point at a height and a flow rate not less than the corresponding height and velocity stated for that release point in Table 1 - Release of Contaminants.
- (A10) Contaminants must not be released to the atmosphere from a release point at a mass emission rate/concentration, as measured at a monitoring point, in excess of that stated in Table 1 - Release of Contaminants and monitored not less frequently than in Table 1- Release of Contaminants.

Table 1 - Release of Contaminants

Release point	Minimum release height	Minimum velocity (m/sec)	Contaminant release	Maximum release limit	Sampling frequency
No. 5 and No. 6 Blending Bins	20 metres (above ground level)	10	Total suspended particulates	30 mg/Nm ³	Upon request by the administering authority
Cement Mill 4 Dust Collector Stack	12 metres (above ground level)	10	Total suspended particulates	30 mg/Nm ³	Upon request by the administering authority

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- (A11) When requested by the administering authority, contaminant monitoring and recording must be undertaken to investigate any complaint of contamination, and the results notified within 14 days to the administering authority. If you can provide evidence through monitoring that the limits in Table 1 - Release of Contaminants are not being exceeded then you shall not be in breach of condition B2-1 with regards to any release of the contaminants listed in Table 1 - Release of Contaminants. When monitoring is requested the following must be complied with:
- monitoring provisions for the release points listed in Table 1 - Release of Contaminants must comply with the Australian Standard AS 4323.1 - 1995 'Stationary source emissions Method 1: Selection of sampling positions'.
 - the following tests must be performed for each required determination specified in Table 1 - Release of Contaminants:
 - gas velocity and volume flow rate;
 - temperature;
 - water vapour concentration (moisture content);
 - where practicable samples must be taken when emissions are expected to be at maximum rates.
 - during the sampling period the following additional information must be gathered:
 - production rate at the time of sampling;
 - raw materials used;
 - number of equipment and mixing vessels operating;
 - operating or mixing temperature;
 - product made; and
 - reference to the actual test methods and accuracy's.

Fabric Filter Dust Collectors (FFDCs)

- (A12) All fabric filters are to be inspected and maintained according to the manufacturer's specifications.
- (A13) Dust suppression measures must be employed to prevent dust moving beyond the site boundaries.
- (A14) All contaminants leaving those release points listed in Schedule B – Table 1 must be treated in a fabric filter dust collector (FFDC) prior to leaving each release point.
- (A15) All collected material removed from FFDCs must be removed and disposed of in a manner that will minimise the likelihood of release of the collected contaminants to the atmosphere or to waters.
- (A16) FFDCs serving release points listed in Schedule B – Table 1 must be automatically cleaned by the reverse pulse or mechanical shaking method.
- (A17) Differential pressure gauges indicating pressure differential across bag filters and clean air plenum negative pressure must be installed on the FFDCs serving release points listed in Schedule B – Table 1.
- (A18) A filter medium breakthrough detector must be installed in the outlet of the FFDCs serving release points listed in Schedule B – Table 1.
- (A19) An audible and visual alarm must warn the operator in charge of the FFDCs serving release points listed in Schedule B – Table 1 whenever filter medium breakthrough occurs.
- (A20) Replacement bags for the FFDCs must be held on site or be readily available from a local contract maintenance service company at all times.

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- (A21) All external material transfer conveyers must be roofed and enclosed on two sides.
- (A22) Aggregate stockpiles must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust or particulate matter to the atmosphere.
- (A23) All fabric filter dust collectors must be cleaned daily either by the mechanical shaking method or reverse pulse during operations.
- (A24) The fabric filter dust collector must be inspected weekly for the integrity of the filter.
- (A25) The fabric filter element must be replaced as soon as practicable but not later than 24 hours after the failure of the filter has been identified.
- (A26) The filling of all silos must be controlled by automatic devices which prevent silos from being filled beyond their nominal capacity.
- (A27) All collected material removed from the Fabric Filter Dust Collector must be removed and disposed of in a manner that will not cause the release of contaminants to the atmosphere.

Agency Interest: Water**Release of Contaminants to Waters**

- (W1) Contaminants must not be directly or indirectly released from the site to any waters except as permitted in this Part of the development approval (Agency Interest: Water), or to a sewer as permitted or otherwise agreed from time to time by the relevant Government Authority, to an extent that would cause environmental harm.
- (W2) Contaminants directly or indirectly released from the site to any waters or to a sewer as permitted or otherwise agreed from time to time by the relevant Government Authority, must not exceed the levels specified in Table 2 – Release Quality Characteristics Limits.

Table 2 – Water Quality Release Limits

QUALITY CHARACTERISTICS	RELEASE LIMIT ANZECC 2000 (slight - mod disturbed)	LIMIT TYPE
1.0 - Suspended Solids.	20.0 mg/L	Maximum
2.0 - pH	7.0 - 8.4	Range
3.0 - Turbidity	8 NTU	Maximum
4.0 - Total Arsenic	50.0 µg/L	Maximum
5.0 - Total Cadmium	0.7 µg/L	Maximum
6.0 - Total Chromium	Cr III 27.4 µg/L & Cr VI 4.4 µg/L	Maximum
7.0 - Total Copper	1.3 µg/L	Maximum
8.0 - Total Lead	4.4 µg/L	Maximum
9.0 - Total Mercury	0.1 µg/L (Inorganic)	Maximum
10.0 - Total Selenium	70.0 µg/L	Maximum
11.0 - Total Zinc	15.0 µg/L	Maximum

Maintenance and Clean Up

- (W3) Any spillage of waste, contaminants or other materials in the place that holds this development approval must be cleaned up to an extent that would not cause environmental harm.
- (W4) The maintenance and cleaning of vehicles and any other equipment or plant must be carried out in areas where contaminants cannot be released into any waters, roadside gutter or stormwater drainage system to an extent that would cause environmental harm.

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Fabric Filter Dust Collector

- (W5) All collected material removed from the Fabric Filter Dust Collector must be removed and disposed of in a manner that will not cause the release of contaminants to waters.

Agency Interest: Land

Preventing Contaminant Releases To Land

- (L1) Contaminants must not be released to land, except where otherwise stated in a condition of this approval to an extent that would cause environmental harm.
- (L2) Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillage 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.

Bunding

- (L3) All liquid chemical and waste tank storages must be banded such that the capacity of the bund is sufficient to contain at least 100% of the largest storage tank plus 10% of the second largest storage tank within the bund.
- (L4) All chemical and waste drum storages must be banded so that the capacity of the bund is sufficient to contain at least 25% of the maximum design storage volume within the bund.
- (L5) All bunding must be constructed of materials which are impervious to the materials stored and transferred therein and must be roofed where practicable.
- (L6) 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.
- (L7) All pipework to and from the banded areas must be directed over the bund walls and not through them.
- (L8) Where vehicle access to a banded area is required, the access must be by way of a rollover bund.
- (L9) All empty drums must be stored on a concrete hardstand area with their closures in place.
- (L10) Where a collection sump and drainage outlet are provided to facilitate removal of liquid collected within the banded area, that outlet must be kept closed and secured at all times.
- (L11) All tanker loading/unloading areas must be banded so that the capacity of the bund is sufficient to contain 100% of the largest compartment of any tanker using the area.
- (L12) Unless otherwise stated all petroleum product storages must be designed, constructed and maintained in accordance with AS 1940 – Storage and Handling of Flammable and Combustible Liquids.

Spill Kit(s)

- (L13) 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.

Spill Kit Training

- (L14) Anyone operating under this approval must be trained in the use of the spill kit(s).

Agency Interest: Noise

Noise Nuisance

- (N1) All noise from the ERA(s) must not exceed the levels specified in Table 3 - Noise Limits, at any noise sensitive place.
- (N2) All noise from activities must not exceed the levels specified in Table 3 - Noise Limits at any nuisance sensitive or commercial place.

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Table 3 - Noise Limits

Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am
Noise measured at a 'Noise sensitive place'						
L _{A10} , adj, 10 mins	BG + 5	BG + 0	BG + 0	BG + 0	BG + 0	BG + 0
L _{A1} , adj, 10 mins	BG + 10	BG + 5	BG + 5	BG + 0	BG + 0	BG + 0
Noise measured at a 'Commercial place'						
L _{A10} , adj, 10 mins	BG + 10	BG + 5	BG + 5	BG + 5	BG + 5	BG + 5
L _{A1} , adj, 10 mins	BG + 15	BG + 10	BG + 10	BG + 10	BG + 5	BG + 5

Noise Monitoring

(N3) Upon request by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:

- (a) background noise level (L_{A90});
- (b) L_{A10} , 10 min noise level;
- (c) the level and frequency of occurrence of impulsive or tonal noise;
- (d) atmospheric conditions including wind speed and direction;
- (e) effects due to extraneous factors such as traffic noise; and
- (f) location, date and time of recording.

(N4) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

Agency Interest: Waste**Waste Management**

- (T1) Waste must not be released to the environment, stored, transferred or disposed of contrary to any condition of this development approval.
- (T2) The registered operator of the ERA to which this approval relates must not:
- a) burn waste at or on the site;
 - b) allow waste to burn or be burnt at or on the site; or
 - c) remove waste from the site and burn such waste elsewhere except in accordance with the conditions of an approval.
- (T3) Waste generated in the carrying out of the activity must be stored, handled and transferred to the extent that it does not cause environmental harm.

Waste Handling

- (T4) All regulated waste removed 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 1991*.

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Off-site Movement of Waste

- (T5) Where regulated waste is removed from the site (other than by a release authorised 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;
 - b) the 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.

Notification of Improper Disposal of Regulated Waste

- (T7) If a person removes regulated waste associated with activities at the site and disposes of such waste in a manner which is unlawful, the registered operator must notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal as soon as practicable.

Agency Interest: Notification

Notification

- (O1) The registered operator of the ERA to which this approval relates must telephone the EPA's Pollution Hotline as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this development approval or any event where environmental harm has been caused or may be threatened.

Notification Information (including spills)

- (O2) The registered operator of an ERA to which this approval relates must provide written advice detailing the following information must be provided to the administering authority within fourteen (14) days following any notification in accordance with condition O1:
- a) the name of the registered operator, including the development approval number;
 - b) the name and telephone number of a designated contact person;
 - c) the location of the release / event;
 - d) the time of the release / event;
 - e) the time the operator became aware of the release / event;
 - f) the suspected cause of the release / event;
 - g) a description of the resulting effects of the release / event;
 - h) the results of any sampling performed in relation to the release / event;
 - i) actions taken to mitigate any environmental harm and or environmental nuisance caused by the release / event; and
 - j) proposed actions to prevent a recurrence of the release / event.

Agency Interest: Social

Complaint Response

- (S1) The registered operator of the ERA to which this approval relates 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 and recommendations formed; and
 - e) any remedial actions taken.

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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.

"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.

"background level - BG" means for a specified time interval, in relation to an investigation of a noise, means the A-weighted sound pressure level that is equalled or exceeded for 90% of that part of the interval in which the investigated noise is absent.

"Water Quality Release Limits" means the concentration of a contaminant referenced from the Australian and New Zealand Environment and Conservation Council (ANZECC) 2000 Guidelines for 95% species protection ecosystem values for such contaminants for those analytes listed in Table 2 – Release Water Quality Characteristic Limits (Numbers 4.0 – 11.0 Slight – Moderately Disturbed) and Queensland Water Quality Limits, March 2006 (Numbers 1.0 – 3.0 Mid - Estuary).

"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.

"dust sensitive place" means:

- a dwelling (other than a carelakers residence), residential allotment, mobile home or caravan park, residential marina or other residential premises; or;
- a library, childcare centre, kindergarten, school, college, university or other educational institution;
- a hospital, surgery or other medical institution;
- a protected area, or an area identified under a conservation plan as a critical habitat or an area of major interest, under the Nature Conservation Act 1992;

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- 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.

"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.

" $L_{Aeq\ 1\ hour}$ " means the A-weighted equivalent sound pressure level over the reference time interval, (adjusted for tonal character and impulsiveness of the sound) using Fast response. "land" in the "land schedule" of this document means land excluding waters and the atmosphere.

"mg/L" means milligrams per litre.

"mg/Nm³" means milligrams per normal cubic metre.

"noise sensitive place" includes:

- a dwelling (other than a caretakers residence), residential allotment, mobile home or caravan park, residential marina or other residential premises; or;
- a library, childcare centre, kindergarten, school, college, university or other educational institution;
- a hospital, surgery or other medical institution; or
- a protected area, or an area identified under a conservation plan as a critical habitat or an area of major interest, under the *Nature Conservation Act 1992*; or
- 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.

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

"NTU" mean 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.

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"odour sensitive place" means:

- a dwelling (other than a caretakers residence), residential allotment, mobile home or caravan park, residential marina or other residential premises; or;
- a library, childcare centre, kindergarden, school, college, university or other educational institution;
- a hospital, surgery or other medical institution; or
- a protected area, or an area identified under a conservation plan as a critical habitat or an area of major interest, under the *Nature Conservation Act 1992*; or
- 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.

"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.

"tanker" means a vehicle used to transport flammable or combustible products.

"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.

"µg/L" means micrograms per litre.

"watercourse" means a river, creek or stream in which water flows permanently or intermittently:

- in a natural channel, whether artificially improved or not; or
- in an artificial channel that has changed the course of the watercourse.

"waters" includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

"works" or "operation" means the development approved under this development approval.

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

END OF CONDITIONS



**Queensland
Government**

Enquiries Sean Lowry
Telephone (07) 3224 2915
Your reference
Our reference 240722

Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Service

20 June 2008

Sunstate Cement Ltd
PO Box 350
Wynnum QLD 4178

Dear Sir/Madam

Re: Amalgamation of Registration Certificates ENRE00515506 & ENRE00393705

Please be advised that Registration Certificates ENRE00515506 and ENRE00393705 have been superseded. A new Registration Certificate ENRE00796608 has been issued to replace the above certificates with a new anniversary date.

Please find attached your new Registration Certificate for Environmentally Relevant Activities: 11(a) Crude oil or petroleum product storage, 22(c) Screening etc. material, 45 Crushing, milling or grinding, 60 Cement manufacturing, 74 Stockpiling, loading or unloading goods in bulk.

Should you have any concerns or enquiries regarding this matter, please contact Sean Lowry on telephone (07) 3224 2915.

Yours sincerely

**Acting Team Leader
Brisbane South (Inner)
Environmental Services
Environmental Protection Agency**

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Notice of decision - permit¹ application

This notice is issued by the Environmental Protection Agency to advise of a statutory decision on a permit application under environmental and/or conservation legislation.

Sunstate Cement Ltd
PO Box 350
WYNNUM QLD 4178

Our reference: 240722

Dear Sir/Madam

Re: Decision made in relation to your application under environmental legislation administered by the Environmental Protection Agency (EPA).

The EPA has assessed your application received on 18-APR-2008 and wishes to advise you of the decision in regard to each application as specified below:

Permit applied for	Permit Number	Decision
Registration Certificate under Environmental Protection Act 1994	ENRE00796608	Granted

For each permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for each approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, the EPA advises that you seek independent advice before taking such action.

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

Yours sincerely


Environmental Protection Agency
Date

23 June 2008

Enquiries:

ES - Reg Serv - Bne South - Bne
GPO Box 2771
BRISBANE QLD 4001

Phone: 07 3224 4081
Fax: 07 3225 8723

Attachment - Permit/Statement of Reasons

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.



Certificate of Registration

No: ENRE00796608

This registration certificate is issued by the Environmental Protection Agency and is a replacement document for the original approval issued on: 6 April 2006 and 15 August 2005.

The anniversary day for the purposes of the Annual Return is : 20 JUN.

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 places; subject to the conditions set out in a development approval attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-

Sunstate Cement Ltd

Administration Building, Sunstate Cement Ltd
Bulk Terminals Drive, FISHERMAN ISLANDS QLD 4178

Place:-

Lot 1 Plan PBA9641, Lot 2 Plan PBA9641, Lot 25 Plan SL9970, Lot 26 Plan SL9970

Located at:-

8 Bulk Terminals Drive, FISHERMAN ISLANDS QLD 4178.

Registered Activity/ies: -

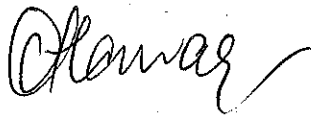
ERA 11(a) Crude oil storing or petroleum product storing - crude oil or petroleum product in tanks or containers having a combined total storage capacity of 10 000 L or more but less than 500 000 L.

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

ERA 45 Crushing, milling or grinding - processing products (other than agricultural products and materials mentioned in Item 22) including, for example, uncured rubber and chemicals, by crushing or grinding or milling in works having a design production capacity of 5 000 t or more a year.

ERA 60 Cement manufacturing - manufacturing cement.

ERA 74 Stockpiling, loading or unloading goods in bulk - commercially loading, unloading or stockpiling materials or goods in association with an activity mentioned in item 71, using a crane, conveyor or pump or other similar way at a rate of more than 100 t a day.



for

Scott Robinson
Environmental Protection Agency

20-JUN-2008



Concurrence Agency Response

Section 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

Applicant:	Sunstate Cement Ltd
Assessment Manager	47/03
Application number:	
EPA Development	SR0517DA
Application number:	
Date application received by EPA:	12 February 2004
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i> and subordinate legislation
Jurisdiction::	Item 7 of Schedule 2 of the <i>Integrated Planning Regulation 1998</i>

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

74 Stockpiling, loading or unloading goods in bulk - Commercially loading, unloading or stockpiling materials or goods, in association with an activity mentioned in item 71, using a crane, conveyor, pump or other similar way at a rate of more than 100 t per day.

at the following place(s):

Lot 88 on SP108337

located at:

8 Bulk Terminals Drive, FISHERMAN ISLANDS QLD 4178

Type of development

Material change of use of premises is:

- the start of a new use of the premises

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that conditions must attach to any development approval

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18(7) of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions. The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Amendment Regulation (No. 1) 1998* for the protection of the environment against the release or potential release of contaminants that will or may cause environmental harm. Development conditions placed on the development approval for the environmentally relevant activity are in accordance with section 79 of the *Environmental Protection Act 1994* ("the EP Act").

The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response, are required in accordance with section 92 of the *EP Act* and are relevant to the object and policies pertaining to the *EP Act*.

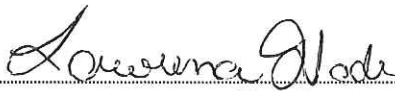
Additional comments or advice about the application

Nil

Additional information for applicants

This concurrence response pursuant to section 79 the EP Act applies only to the environmentally relevant activity(ies) component of the development and does not remove the need to obtain any further approval for this development which may be required pursuant to this or other legislation, both State and Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

It is a requirement of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined under schedule 2 of the *Environmental Protection Act 1994*) is being carried out on this land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming aware the activity is being carried out, give notice to the Environmental Protection Agency. A list of Notifiable Activities is provided within Schedule 2 of the *Environmental Protection Act 1994*.


Signed

24 February 2005
Date

Lawrie Wade
Manager (Licensing)
Delegate of Administering Authority
Environmental Protection Act 1994

Conditions of the development approval

As part of the concurrence agency response the following schedules of development conditions are to be attached to the development approval:

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

This development approval authorises the ERA. It does not authorise environmental harm unless a concurrence agency condition within this development approval explicitly authorises that harm. Where there is no condition or the development approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

- Schedule A - Activity
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise
- Schedule E - Waste
- Schedule F - Land
- Schedule G - Community
- Schedule H - Definitions
- Schedule I - Maps / Plans

Schedule A - Activity

Prevent and /or minimise likelihood of environmental harm

- (A1-1) In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this approval.

NOTE: This approval authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this approval explicitly authorises that harm. Where there is no condition or the approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

Maintenance of measures, plant and equipment

- (A2-1) The holder must:
- install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and
 - maintain such measures, plant and equipment in a proper and efficient condition; and
 - operate such measures, plant and equipment in a proper and efficient manner.

Records

- (A3-1) Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.

Notification of Emergencies and Incidents

- (A4-1) 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 environmental authority, the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.
- (A4-2) The notification of emergencies or incidents as required by condition number (A4-1) must include but not be limited to the following:
- (i) the name of the holder of the environmental authority;
 - (ii) the location of the emergency or incident;
 - (iii) the number of the environmental authority;
 - (iv) the name and telephone number of the designated contact person;
 - (v) the time of the release;
 - (vi) the time the holder of the environmental authority 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.
- (A4-3) Not more than 14 days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition number (A4-2) in addition to:
- (i) proposed actions to prevent a recurrence of the emergency or incident;
 - (ii) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
 - (iii) the results of any environmental monitoring performed.

Site based management plan

- (A5-1) From commencement of the activity, 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 Environmentally Relevant Activities that are carried out.

Arch 24/2/05

The site based management plan must address the following matters:

- Environmental commitments - a commitment by senior management to achieve environmental goals; and
- Identification of environmental issues and potential impacts; and
- Control measures for routine operations to minimise likelihood of environmental harm; and
- Contingency plans and emergency procedures for non-routine situations; and
- Organisational structure and responsibility; and
- Effective communication; and
- Monitoring of the contaminant releases; and
- Conducting environmental impact assessments; and
- Staff training; and
- Record keeping; and
- Periodic review of environmental performance and continual improvement.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Nuisance

- (B1-2) 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 odour sensitive place.

Dust nuisance

- (B1-1) The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.
- (B2-2) Exceedence of any of the following levels when measured at any dust sensitive place is an environmental nuisance for the purposes of condition B2-1.
- Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991; OR
 - A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (μm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a dust sensitive place downwind of the site, when monitored in accordance with:
 - Australian Standard AS 3580.9.6 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method'; or
 - any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

- (B2-3) When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include:
- for a complaint alleging dust nuisance, dust deposition; and
 - 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) (PM10) suspended in the atmosphere over a 24hr averaging time.

Dust Control

- (B3) The holder of this development approval must take all reasonable and practicable measures necessary to prevent spillage and/or loss of particulate matter or windblown dust from conveyors, hoppers and any open stockpile areas.

The release of contaminants to the atmosphere

- (B3-1) The release of contaminants to the atmosphere from a point source must only occur from those release points identified in Schedule B - Table 1 and must be directed vertically upwards without any impedance or hindrance.
- (B3-2) Contaminants must be released to the atmosphere from a release point at a height and a flow rate not less than the corresponding height and velocity stated for that release point in Schedule B - Table 1.
- (B3-3) Contaminants must not be released to the atmosphere from a release point at a mass emission rate/concentration, as measured at a monitoring point, in excess of that stated in Schedule B - Table 1 and monitored not less frequently than Schedule B Table 1.

Schedule B - Table 1 (Release of contaminants)

Release point	Minimum release height (metres)	Minimum velocity (m/sec)	Contaminant release	Maximum release limit	Sampling frequency
Mobile dust extraction system 1 (via bag filter)	4.5	10	Total suspended particulates	50 mg/N m ³	Upon request by the administering authority
Mobile dust extraction system 2 (via bag filter)	4.5	10	Total suspended particulates	50 mg/N m ³	Upon request by the administering authority
Mobile dust extraction system 3 (via bag filter)	4.5	10	Total suspended particulates	50 mg/N m ³	Upon request by the administering authority

- (B3-4) When requested by the administering authority, contaminant monitoring and recording must be undertaken to investigate any complaint of contamination, and the results notified within 14 days to the administering authority. If you can provide evidence through monitoring that the limits in Schedule B Table 1 are not being exceeded then you shall not be in breach of condition B2-1 with regards to any release of the contaminants listed in Schedule B Table 1. When monitoring is requested the following must be complied with:
- monitoring provisions for the release points listed in Schedule B - Table 1 must comply with the Australian Standard AS 4323.1 - 1995 'Stationary source emissions Method 1: Selection of sampling positions'.
 - the following tests must be performed for each required determination specified in Schedule B - Table 1:
 - gas velocity and volume flow rate;
 - temperature
 - water vapour concentration (moisture content),
 - where practicable samples must be taken when emissions are expected to be at maximum rates.
 - during the sampling period the following additional information must be gathered:
 - production rate at the time of sampling;
 - raw materials used;
 - number of equipment and mixing vessels operating;
 - operating or mixing temperature;
 - product made; and
 - reference to the actual test methods and accuracy's.

Fabric Filter Dust Collectors (FFDCs)

- (B4-1) All contaminants leaving those release points listed in Schedule B – Table 1 must be treated in a fabric filter dust collector (FFDC) prior to leaving each release point.
- (B4-2) All collected material removed from FFDCs must be removed and disposed of in a manner that will minimise the likelihood of release of the collected contaminants to the atmosphere or to waters.
- (B4-3) FFDCs serving release points listed in Schedule B – Table 1 must be automatically cleaned by the reverse pulse or mechanical shaking method.
- (B4-4) Differential pressure gauges indicating pressure differential across bag filters and clean air plenum negative pressure must be installed on the FFDCs serving release points listed in Schedule B – Table 1.
- (B4-5) A filter medium breakthrough detector must be installed in the outlet of the FFDCs serving release points listed in Schedule B – Table 1.
- (B4-6) An audible and visual alarm must warn the operator in charge of the FFDCs serving release points listed in Schedule B – Table 1 whenever filter medium breakthrough occurs.
- (B4-7) Replacement bags for the FFDCs must be held on site or be readily available from a local contract maintenance service company at all times.

Materials Handling

- (B5-1) All external material transfer conveyers must be roofed and enclosed on two sides.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Release to waters

- (C1-1) Contaminants must not be released from the site to any waters or the bed and banks of any waters.

Stormwater management

- (C2-1) There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.
- (C2-2) Any spillage of waste, contaminants or other materials in the licensed place must be cleaned up as quickly as practicable.

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise and vibration

Noise nuisance

- (D1-1) Noise from activities must not cause an environmental nuisance at any noise affected premises.

Noise monitoring

- (D2-1) When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:
- L_A 10, adj, 10 mins
 - L_A 1, adj, 10 mins
 - the level and frequency of occurrence of impulsive or tonal noise;
 - atmospheric conditions including wind speed and direction;
 - effects due to extraneous factors such as traffic noise; and
 - location, date and time of recording.
- (D2-2) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste

There are no conditions prescribed for this Schedule.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land

Preventing contaminant release to land

- (F1-1) Contaminants must not be released to land.
- (F1-2) Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

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

END OF CONDITIONS FOR SCHEDULE F

Schedule G - Community

Complaint response

- (G1-1) All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.

END OF CONDITIONS FOR SCHEDULE G

Schedule H - Definitions

Words and phrases used throughout this licence or development approval are defined below:
Where a definition for a term used in this approval is sought and the term is not defined within this approval the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

Word Definitions

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

"you" means the holder of this Environmental Authority or owner / occupier of the land which is the subject of this Development Approval.

"site" means the place to which this environmental authority relates or the premises to which this development approval relates.

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

"this authority" means this environmental authority/development approval.

"authority" means level 1 licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the *Environmental Protection Act 1994*.

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

"dust sensitive place" means -

- a dwelling, mobile home or caravan park, residential marina or other residential place;
 - a motel, hotel or hostel;
 - a kindergarten, school, university or other educational institution;
 - a medical centre or hospital;
 - a protected area;
 - a park or gardens; or
 - a place used as an office or for business or commercial purposes.
- and includes the curtilage of any such place.

"odour sensitive place" has the same meaning as a "dust sensitive 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.

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

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

"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.

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

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

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

"noise affected premises" means a "noise sensitive place" or a "commercial place"

"noise sensitive place" means -

- a dwelling, 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; or
 - a park or gardens.
- and includes the curtilage of such place.

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

"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.

"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.

"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.

"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

"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.

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

"mg/L" means milligrams per litre.

"NTU" means nephelometric turbidity units

"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.

"licensed vehicle" means a vehicle authorised to be used under the licence to transport regulated waste.

"registered vehicle" means "licensed vehicle"

"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.

"infectious waste" means "clinical waste"

"vibration sensitive place" means a noise sensitive place or a commercial place.

"annual return" means the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the development approval.

END OF DEFINITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

There are no attachments to this schedule.

END OF CONDITIONS FOR SCHEDULE I

END OF CONCURRENCE AGENCY RESPONSE



Notice of concurrence agency response

Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

This notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the Integrated Planning Act 1997, to advise you of a decision or action.

Enquiries to : Louise Jordan
Telephone : (07) 3225 8567
Your reference :
Our reference : STH5246/SR0517DA

Port of Brisbane Corporation
Port Office
1 Sandpiper Avenue
FISHERMAN ISLANDS QLD 4178

Mr J Nairn
Sunstate Cement Ltd
PO Box 350
WYNNUM QLD 4178

Attention: Mr D Hertweck,

Re: Application (No. 47/03) for development approval by Sunstate Cement Ltd for assessable development to be carried out at a place situated at 8 Bulk Terminals Drive, FISHERMAN ISLANDS QLD 4178

Pursuant to the following items of Schedule 2 of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency is the concurrence agency for the development application:

Item 7 of Schedule 2 of the *Integrated Planning Regulation 1998*

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above as attached.

The Environmental Protection Agency, as the administering authority for the *Environmental Protection Act 1994* is required by section 540 to maintain a register of development approvals for environmentally relevant activities.

It would be appreciated if Port of Brisbane Corporation could provide a signed hard copy of the final development approval issued by Port of Brisbane Corporation (which includes the Agency's concurrence conditions), and an electronic copy of that development approval. The signed "hard copy" can be posted to the Agency's Environmental Support Officer.

Environmental Support Officer
Environmental Protection Agency
Southern Regional Office (Brisbane)
GPO Box 2771
BRISBANE QLD 4001

The electronic copy for the electronic register can be e-mailed in this instance to the Environmental Support Officer, Karen Francis at e-mail address: karen.francis@epa.qld.gov.au.



The EPA has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

Should you require any further information please do not hesitate to contact Louise Jordan on either phone (07) 3225 8567 or e-mail: louise.jordan@epa.qld.gov.au

Signed

Date

Lawrie Wade
Manager (Licensing)
Delegate of Administering Authority
Environmental Protection Act 1994