Department of Environment and Resource Management

COPY

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE02140910

This registration certificate is issued by the administering authority and takes effect from: 11-APR-2011.

The anniversary day for the purposes of the Annual Return remains: 8 November.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity listed below at the following place; subject to the conditions set out in a development approval attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Wiggins Island Coal Export Terminal Pty Ltd
Level 13, 80 Albert Street,
BRISBANE QLD 4000

Place:-
Lot 100 Plan CTN279, Lot 101 Plan SP224197
Located at:-
Hansen Road,CALLEMONDAH QLD 4680
Registered Activity: -
ERA 63 Sewage treatment Threshold 2(b) - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of more than 100 to 1500EP (i) if treated effluent is discharged to an infiltration trench or through an irrigation scheme

C. E. Birt

Cathy Birt
Delegate
Department of Environment and Resource Management
Environmental Protection Act 1994

11-APR-2011

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

Queensland Government

Department of Environment and Resource Management

Permit

Sustainable Planning Act 2009

DERM Permit [1] number: SPDE00684110

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	350264
Date application received:	25-Jun-2010
Permit type:	Development permit
Date of decision:	20 September 2010
Decision:	The application is approved subject to the conditions attached to this Notice, and the conditions are stated to be assessment manager conditions.
Relevant laws and policies:	Sustainable Planning Act
Jurisdiction(s):	Development Approval for a MCU involving an ERA.
Legislation:	*Sustainable Planning Regulation 2009* - Schedule 3, Part 1, Table 2, item 1

Development Description(s)

Property	Lot/Plan	Aspect of Development
Wiggins Island Coal Terminal - Sewage Treatment Plant	Lot 100 Plan CTN279, Lot 101 Plan SP224197	ERA 63 Sewage treatment Threshold 2(b) - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of more than 100 to 1500EP

[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.

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

Queensland Government

20/9/10

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.

The conditions are included pursuant to section 73B of the *Environmental Protection Act 1994.*

Coastal Management and Protection Act 1995.
This approval pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any further approval for this development, required by this or other State and/or Commonwealth legislation. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required. Applicants should also comply with all relevant legislation.

In particular, pursuant to the Order in Council approval in 1991, which allows the subject lot to be reclaimed, the subject lot this application pertains to is tidally influenced and areas sit below high water mark. If construction of the Sewage Treatment Plant is commenced in an area which is below high water mark *before* reclamation works have reached the required level or above high water mark, then further approvals will be needed through the *Coastal Management and Protection Act 1995.*

***Aboriginal Cultural Heritage Act 2003* Duty of Care Statement.**
The Department of Environment and Resource Management (DERM) also takes this opportunity to advise the Assessment Manager of the responsibilities of applicants under the *Aboriginal Cultural Heritage Act 2003.* The Assessment Manager may wish to include this information as an Advisory Note on the Decision Notice issued for the application.

Under section 23 of the *Aboriginal Cultural Heritage Act 2003* a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are $750,000 for a corporation and $75,000 for an individual.

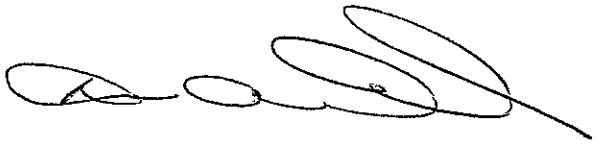
Applicants will comply with the duty of care in relation to Aboriginal cultural heritage if they are acting in accordance with cultural heritage duty of care guidelines gazetted under the *Aboriginal Cultural Heritage Act 2003,* available on the DERM website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under Part 7 of the Aboriginal Cultural Heritage Act 2003.

Applicants are also encouraged to undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, Department of Environment and Resource Management. Application forms to undertake a free search of the Cultural Heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3239 3647 or on the DERM website http://www.derm.qld.gov.au/cultural_heritage/index.html.

Environmentally relevant activities
The description of any environmentally relevant activity (ERA) for which a development approval 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 a development approval as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

A development permit authorising the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the permit specifically authorises environmental harm.
A person carrying out an ERA must hold a registration certificate issued under the *Environmental Protection Act 1994,* or must be acting under a registration certificate, for the ERA.

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 in Schedule 3 and Schedule 4 of the *Environmental Protection Act 1994*) 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 Department of Environment and Resource Management.



Don Arnold
Delegate,
Chief Executive administering the
Environmental Protection Act 1994,
Department of Environment and Resource Management
20 September 2010

Schedule A – General conditions

Scale and Intensity

A1 The environmentally relevant activity (ERA) to which this development approval relates must not be carried out in a manner which exceeds the following approved scale and intensity:

For Stage 1

- Maximum plant inflow over any 24 hour period, 11 kilolitres;
- Minimum effluent irrigation area of 7 500 square metres, (excluding necessary buffer zones).

For Stage 2

- Maximum plant inflow over any 24 hour period, 22 kilolitres;
- Minimum effluent irrigation area of 20 000 square metres, (excluding necessary buffer zones).

For Stage 3

- Maximum plant inflow over any 24 hour period, 33 kilolitres;
- Minimum effluent irrigation area of 30 000 square metres, (excluding necessary buffer zones).

Prevent and/or minimise likelihood of environmental harm

A2 In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and/or to minimise the likelihood of environmental harm being caused.

Maintenance of Measures, Plant and Equipment

A3 The operator of an ERA to which this approval relates must:

(a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and

(b) maintain such measures, plant and equipment in a proper and efficient condition; and

(c) operate such measures, plant and equipment in a proper and efficient manner.

Records

A4 Record, compile and keep all monitoring results required by this approval and present this information to the administering authority with the annual return.

Alterations

A5 No change, replacement, alternation or operation, of any plant or equipment is permitted if the change, replacement, alternation or operation, of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm, beyond that provided for by this approval.

Site Based Management Plan

A6 From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not

20/9/10

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 address the following matters:

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

A7 The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval

Security

A8 Appropriate measures must be taken to prevent unauthorised access to the site where the sewage treatment works will be located.

Annual Monitoring Report

A9 A monitoring report must be prepared each year and presented to the administering authority with the annual return. This report shall include but not be limited to:

(a) a summary of the previous twelve (12) months monitoring results obtained under any monitoring programs required under this approval and, in graphical form showing relevant limits, a comparison of the previous twelve (12) months monitoring results to both this approvals limits and to relevant prior results;
(b) an evaluation/explanation of the data from any monitoring programs;
    -In relation to soils, this section of the report must be prepared by an expert in the field of soils monitoring and determinations made as to the presence of contamination and if so the level of environmental harm caused;
(c) a summary of any record of quantities of releases required to be kept under this approval;
(d) a summary of the record of equipment failures or events recorded for any site under this approval;
(e) an outline of actions taken or proposed to minimise the environmental risk from any deficiency identified by the monitoring or recording programs; and
(f) a summary of any trade waste agreements entered into or amended during the year, including the nature of the industry.

Notification

A10 As soon as practicable, but within 24 hours, after 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 approval, the holder must notify the administering authority of the release by telephone, facsimile or email.

Information to Follow Notification

A11 A written notice detailing the following information must be provided to the administering authority within 14 days of any advice provided in accordance with condition A10:

20/9/10

(a) the name of the operator, including their approval / registration number;
(b) the name and telephone number of a designated contact person;
(c) quantity and substance released;
(d) vehicle and registration details;
(e) person/s involved (driver and any others);
(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) the results of any sampling performed in relation to the release,
(j) actions taken to mitigate any environmental harm caused by the release; and
(k) proposed actions to prevent a recurrence of the release.

Monitoring

A12 A competent person(s) must conduct any monitoring required by this approval.

Equipment Calibration

A13 All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.

Trained / Experienced Operator(s)

A14 The daily operation of the waste water treatment system and pollution control equipment must be carried out by a person(s) with appropriate experience and/or qualifications to ensure the effective operation of that treatment system and control equipment.

Third Party Environmental Auditing

A15 Compliance with the conditions of this approval must be audited within 90 days of commencement of each stage of irrigation, (ie. Stages 1, 2 and 3).

A16 The audit detailed in condition A15 must be conducted by a suitably qualified third party auditor, nominated by the approval holder and accepted by the administering authority.

A17 In relation to the audit required by condition A15, the auditor must submit a final version of the auditor's report to the administering authority within 28 days of completing the audit.

A18 This condition applies to the site based management plan required by condition A6. A suitably qualified third party auditor must certify in writing that the site base management plan has been prepared:

(a) by a suitably qualified person with at least 5 years experience in the relevant area;

(b) in a manner that is consistent with the requirements of condition A6; and

(c) by having regard to, and appropriately applying, the relevant guidelines (being those applicable on a national, state or a regional basis) which the third party auditor considers should be applied in undertaking the site based management plan including relevant Environment Australia, ANZECC and DERM guidelines where published.

Sewage Treatment Works

A19 The sewage treatment works is to be designed, constructed and operated consistent with an advanced wastewater treatment plant, with treatment quality achieving secondary standard, Class A standard, consistent with the specification provided in the Queensland Water Recycling Guidelines 2005.

20/9/10

End of Conditions for Schedule A

Schedule B – Air

Odour Nuisance

B1 The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance outside the site boundary.

Infrastructure Design

B2 All sewage infrastructure including but not limited to pumping stations, storage and treatment components, must be designed so as not to create or potentially create an odour nuisance at any nuisance sensitive place. Such designs, for example, include the sealing of odour sensitive components and the discharge of air emissions through activated carbon filters

End of Conditions for Schedule B

Schedule C – Water

C1 Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

C2 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.

C3 Contaminants must not be directly or indirectly released to any waters, including groundwaters, or the bed or banks of any waters, except as specifically authorised under a water condition of this approval.

Sewage Pump Station

C4 Contaminant pumping stations must be fitted with stand-by pumps and pump-failure alarms as well as high level alarms to warn of imminent pump station overflow. All alarms must be able to operate without mains power.

C5 Suitable banks and/or diversion drains must be installed and maintained to exclude clean stormwater runoff from entering any ponds or other structures used for the storage or treatment of contaminants or wastes.

Contaminant Releases To Groundwaters

C6 The release of contaminants to groundwaters must not cause environmental harm.

Groundwater Monitoring

C7 The registered operator of an ERA to which this approval relates must implement an on-going Groundwater Monitoring Program (GMP) that has been approved by the administering authority, including the development of a suitable groundwater monitoring network, to monitor the quality of groundwater potentially impacted by any direct or indirect release of contaminants associated with any ongoing operations and/or any ERAs.

C8 The groundwater monitoring network referred to in condition C7 must:

a) be installed and maintained by a suitably qualified and experienced person; and

20/9/10

b) be constructed in accordance with the Agriculture and Resource Management Council of Australia and New Zealand manual titled *Minimum Construction Requirements for Water Bores in Australia, Edition 2, Revised September 2003*, or more recent editions or supplements to that document as such become available.

C9 Monitoring must be conducted and records kept of groundwater quality for the relevant monitoring bores required by condition C7 of this development approval. All determinations of groundwater quality must be:

(a) conducted for the water quality characteristics and at the minimum frequency stated in Schedule C, Table 1 - *Groundwater monitoring*;

(b) carried out with sufficient number of sampling events to determine groundwater quality characteristics, standing groundwater levels prior to, and following proposed development of the site; and

(c) followed by an assessment by a person with suitable qualifications and experience to determine whether or not there has been any adverse impact at locations hydraulically down gradient of the potential sources of contamination.

C10 A record of the results of baseline monitoring must be kept and forwarded to the administering authority with the first annual return after beginning operation of the approved activity.

C11 The registered operator must measure and record standing groundwater levels in metres accurate to 0.01 metres. The elevation of the reference point, relative to Australian Height Datum, for use in any groundwater level measurement must be determined to an accuracy of 0.01 metres.

Schedule C - Table 1 - Groundwater monitoring

Parameter	Minimum Monitoring Frequency
Standing Water Level	Annually
pH	Annually
Electrical Conductivity	Annually
Total Nitrogen	Annually
Nitrate	Annually
Ammonium Nitrogen	Annually
Total Phosphorous	Annually
Ortho-phosphate	Annually
Total Coliforms	Annually
Sulphate	Annually
Chloride	Annually

End of Conditions for Schedule C

20/9/10

Schedule D – Noise

Noise Nuisance

D1 Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

End of Conditions for Schedule D

Schedule E – Waste

Waste Management Plan

E1 From commencement of the ERA, 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) procedures for identifying and implementing opportunities to improve the waste management practices employed e.g. opportunities for beneficial reuse of biosolids;

(d) procedures for dealing with accidents, spills and other incidents that may impact on the waste management;

(e) details of any accredited management system employed, or planned to be employed, to deal with the waste;

(f) how often the performance of the waste management practices will be assessed (at least annually); and

(g) the indicators or other criteria on which the performance of the waste management practices will be assessed.

Waste Records

E2 A record of all waste must be kept detailing the following information:

(a) date of pickup of waste;
(b) description of waste;
(c) quantity of waste;
(d) origin of the waste; and
(e) destination of the waste.

Waste Transport

E3 All regulated waste removed from the premises to which this development approval relates must be removed by a person who holds a current approval to transport such waste under the provisions of the Environmental Protection Act 1994.

End of Conditions for Schedule E

20/9/10

Schedule F – Land

Land Disposal

F1 The only contaminants permitted to be released to land are treated sewage effluent that is in compliance with the limits levels stated in Schedule F, Table 1 - *Contaminant release limits to land* and the conditions of this approval.

F2 Notwithstanding the quality characteristic limits specified in Schedule F, Table 1 - *Contaminant release limits to land*, releases of effluent must not have any properties nor contain any organisms or other contaminants in concentrations that are capable of causing environmental harm.

F3 The irrigation area, as shown in Schedule I, Figure 1 must not be used for recreational activities or as a traffic thoroughfare.

F4 The irrigation of effluent must be carried out in a manner such that:

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

F5 Notices must be prominently displayed on areas undergoing effluent irrigation, warning the public that the area is irrigated with effluent and not to use or drink the effluent. These notices must be maintained in a visible and legible condition.

F6 Pipelines and fittings associated with the effluent irrigation system must be clearly identified. Lockable valves or removable handles must be fitted to all release pipes situated in public access areas.

F7 Effluent disinfection equipment must be inspected at least daily, with records kept and any required maintenance conducted immediately, to ensure efficient and reliable disinfection of treated effluent is achieved.

F8 Monitoring must be undertaken and records kept of a monitoring program of contaminant releases to the irrigation area at the monitoring points, frequency, and for the parameters specified in Schedule F, Table 2 - *Monitoring program.*

F9 All determinations of water quality must be:

a) made in accordance with, but are not limited to, methods prescribed in the Department of Environment and Resource Management – *Queensland Water Quality Guidelines and Monitoring and Sampling Manual, September 2009,* or more recent editions or supplements to that document as such become available; and

b) carried out on samples that are representative of the discharge; and

c) recorded in accordance with condition A4 of this development approval.

F10 The daily volume and flow rate of sewage entering the sewage treatment works must be determined by an appropriate method with an accuracy of +/- 5%, for example through the use of a calibrated flow metre. Records must be kept of such determinations.

20/9/10

F11 When conditions prevent the irrigation of treated effluent to land (such as during rain events), alternative measures must be taken to store/lawfully dispose of effluent (such as wet weather storage or tankering off site to another treatment plant or sewer). A record must be kept of any removal or discharge off site, including destination, transporter, dates and volumes.

Irrigation Monitoring Program

F12 From commencement of the ERA an Irrigation Monitoring Program (IMP) for the release of contaminants to land(s) must be implemented and maintained. As a minimum, the IMP must include:

(a) soil and sub-soil analysis, including assessment of the soil types, structure, phosphorus adsorption capacity, nutrient status, salinity and sodicity, cation exchange capacity and sodium absorption ratio (SAR) of the contaminant release area(s), to be carried out at no less than six representative sites every two years;
(b) ground water monitoring that determines the existence and rate of infiltration of effluent that has been irrigated to land, and the potential or actual impacts on ground water from such infiltration, to be carried out on an annual basis;
(c) plant analysis to assess nutrient export to be carried out on a six (6) monthly basis;
(d) determination of the quantity and quality of contaminants applied;
(e) periodic re-assessment, including modelling of the water, nutrient and salt balances and irrigation rate and return period should be undertaken, if necessary, to ensure sustainable use of the contaminant release area is being achieved; and
(f) reporting of monitoring results, and an assessment of the impact of the releases on the contaminant release areas.

F13 The Irrigation Monitoring Program required by condition F12 must be submitted to the administering authority with the first annual return after operation of the approved activity commences.

F14 Reporting of monitoring results and assessment of impacts required by condition F12(f) must be submitted to the administering authority with each annual return.

Schedule F - Table 1 - Contaminant release limits to land

Quality characteristics	Release Limit			
	Minimum	Median	80th Percentile	Maximum
BOD (mg/L)	N/A	N/A	10	15
Suspended Solids (mg/L)	N/A	N/A	N/A	20
Faecal coliforms (faecal coliform organisms per 100 mL)	N/A	N/A	N/A	10
pH (pH units)	6.5	N/A	N/A	8.5
Dissolved Oxygen (mg/L)	2	N/A	N/A	N/A
Total Nitrogen (mg/L)	N/A	N/A	N/A	10
Total Phosphorus (mg/L)	N/A	N/A	N/A	5
Residual chlorine (mg/L)	0.2	N/A	N/A	0.7

N/A = Not applicable

20/9/10

Schedule F - Table 2 - Monitoring program

Monitoring point	Quality characteristics	Units	Frequency
W1*	BOD5	mg/L	Quarterly
W1*	Suspended Solids	mg/L	Quarterly
W1*	Faecal coliforms	faecal coliform organisms per 100 mL	Monthly
W1*	pH	pH units	Weekly
W1*	Dissolved Oxygen	mg/L	Quarterly
W1*	Total Nitrogen	mg/L	Quarterly
W1*	Total Phosphorus	mg/L	Quarterly
W1*	Salinity	mg/L	Weekly
W1*	Residual Chlorine	mg/L	Daily
W1*	Na, K, Ca, Mg, S, Fe, Cl, Cu Zn, B	mg/L	Quarterly
W1*	Cd, Hg, As, Pb	mg/L	Twice yearly

*Discharge to effluent irrigation area

End of Conditions for Schedule F

Schedule G – Community

Complaint Response

G1 The operator of the ERA must record the following details for all complaints received and provide this information to the administering authority on request:

(a) Time, date, name and contact details of the complainant;
(b) reasons for the complaint;
(c) any investigations undertaken;
(d) conclusions formed; and
(e) any actions taken.

End of Conditions for Schedule G

2019/10

Schedule H –Definitions

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

"administering authority" means the Department of Environment and Resource Management 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 *Sustainable Planning Act 2009*.

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

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

"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.

"Department of Environment and Resource Management" means the department or agency (whatever called) administering the *Environmental Protection Act 1994*.

"intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration is clearly audible to, or can be felt by, an individual and annoys the individual. In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 – 1997 Acoustics – Description and Measurement of Environmental Noise Part 2 – Application to Specific Situations.

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

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

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

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

"mg/L" means milligrams per litre.

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

"NTU" means nephelometric turbidity units.

"nuisance sensitive place" includes –

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
- a public thoroughfare, park or gardens; or
- a place used as a workplace, an office or for business or commercial purposes; and
- includes a place within the curtilage of such a place reasonably used by persons at that place.

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

22/9/10

"protected area" means –

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

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

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

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

"tidal water" means the sea and any part of a harbour or watercourse ordinarily within the ebb and flow of the tide at spring tides.

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

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

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

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

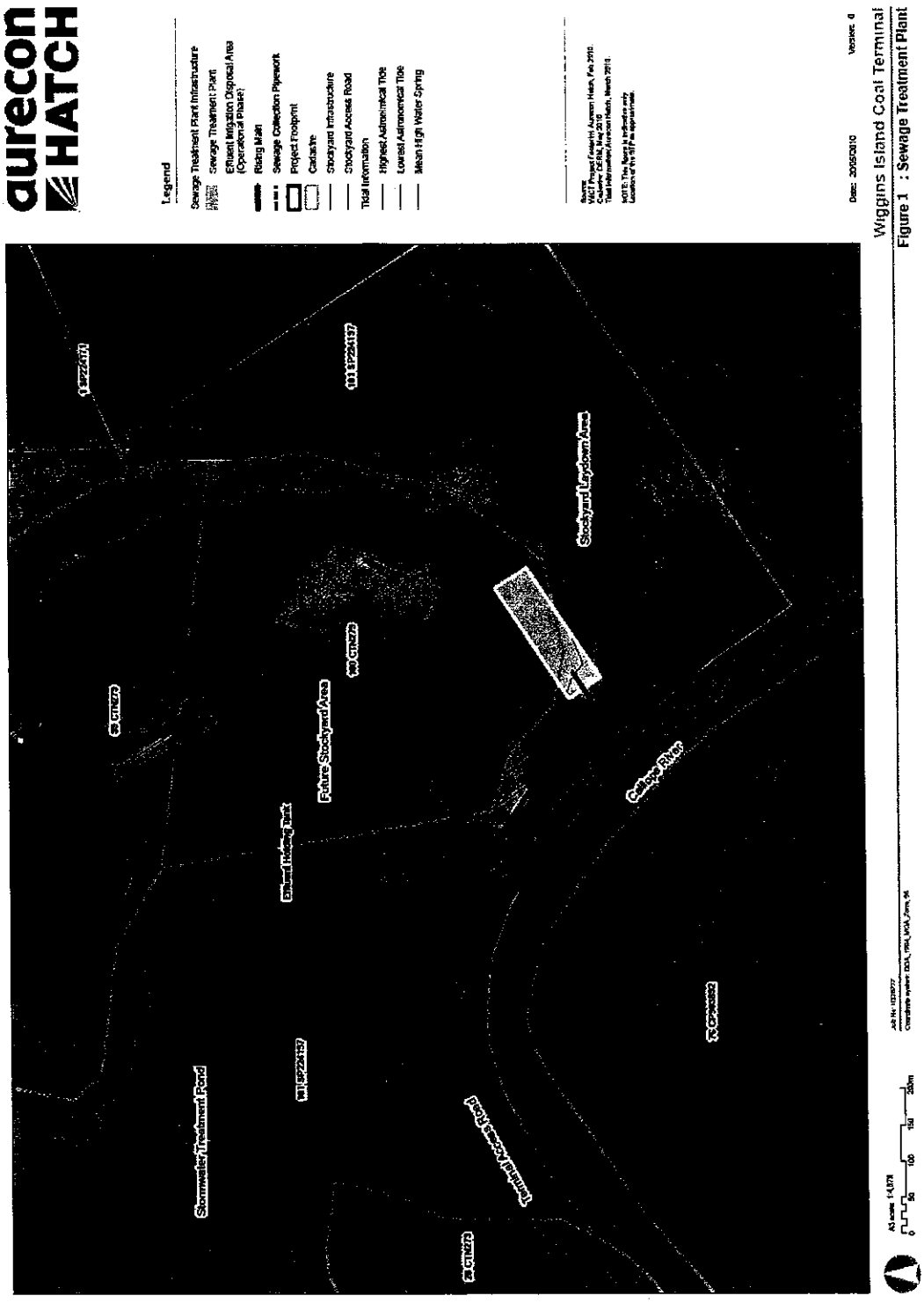
"you" means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

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

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

20/9/10

Schedule I – Maps/Plans



END OF CONDITIONS

20/9/10