

Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE01566510

This registration certificate is issued by the administering authority and takes effect from: 15 July 2010.

The anniversary day for the purposes of the Annual Return remains: 10 June.

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:-

Hall Contracting Pty. Ltd.
Level 18,
300 Queens Street
BRISBANE QLD 4000

Development Approval Number: SPDE00269110

Place:-

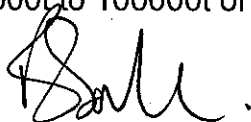
Lot 1 Plan SP143293, Lot 2 Plan SP143293

Located at:-

Mooloolaba Boat Harbour, BUDDINA QLD 4575

Registered Activity: -

ERA 16 Extractive and screening activities Threshold 1(b) - dredging, in a year, more than 10000t to 100000t of material



Ben Sale
Delegate
Administering authority
Environmental Protection Act 1994

15-JUL-2010

Sustainable Planning Act 2009**DERM Permit¹ number: SPDE00269110***This document supersedes SR0562DA (IPDE00383306D11) issued 22 December 2004 (MCY1151).*

DERM Permit¹ number:	SPDE00269110
Assessment Manager reference:	as above
Date application received by DERM:	15 March 2010
Permit¹ Type:	Development Approval for a MCU involving an ERA.
Date of Decision:	4 June 2010
Decision:	Approved with conditions
Relevant Laws and Policies:	<i>Sustainable Planning Act 2009, Environmental Protection Act 1994 and subordinate legislation.</i>

Decision to application

The Department of Environment and Resource Management (DERM) response is that the application is approved with a development permit subject to the conditions as contained in this document.

The development permit attaches to the land described below, which either connects to or receives the benefits of the structure or activity that is the environmentally relevant activity (ERA).

The development permit applies to and binds the Department of Transport and Main Roads or any subsequent authority.

Development Description

Property	Lot/Plan	Aspect of Development
Mooloolaba Boat Harbour, BUDDINA QLD 4575 and Coral Sea offshore	Lot 1 Plan SP143293 + coordinates (offshore) GDA94 513 356.000E - 7 049 180.000N 513 275.000E - 7 049 165.000N 513 204.153E - 7 049 114.802N 513 187.158E - 7 049 051.396N	ERA 16 Extractive and screening activities Threshold 1(b) - dredging, in a year, more than 10000t to 100000t of material

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 (DERM)

	513 491.828E – 7 048 782.532N	
	513 414.116E – 7 048 781.926N	
	513 173.678E – 7 048 994.107N	
	513 100.000E – 7 048 800.000N	
	512 800.000E – 7 048 800.000N	
	512 800.000E – 7 049 100.000N	
	513 356.000E – 7 049 358.604N	

Additional comments or advice about the application

This approval 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 thirty (30) days after becoming aware the activity is being carried out, give notice to DERM. A list of Notifiable Activities is provided within Schedule 3 of the *Environmental Protection Act 1994*.

Additional information for applicants

This development approval authorises the Activity. 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.



Dan Rose
Delegate
Department of Environment and Resource Management
4 June 2010

CONDITIONS

Activity : Material Change of Use involving an Environmentally Relevant Activity

Department Interest: General

- (G1) In carrying out the ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and minimise the likelihood of environmental harm being caused.
- (G2) The works must be in accordance with the approved plan 'Mooloolah River Entrance – Mooloolaba Dredge and Disposal Areas Approval Drawing BN-15-49-1A dated 7.5.10 annexed Maps\Plans hereto.
- (G3) The chief executive administering the *Coastal Protection and Management Act 1995* may order the works to be removed or modified, if the works have or are likely to have a significant effect on coastal management because the works:
- (a) create a navigation hazard or other danger to the public; or
 - (b) cause erosion or land degradation; or
 - (c) are unstable or have not been constructed according to the approved plans.
- (G4) A copy of these conditions pertaining to this activity must be available at the dredging site at all times and all dredging plant personnel must be made aware of the conditions of this approval.
- (G5) Maintenance of Measures, Plant and Equipment
- The operator 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.
- (G6) Site Based Management Plan
- From commencement of this activity to which this approval relates, a site based management plan (SBMP) must be developed and 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' at least biannually in the overall environmental performance of the activity to which this approval relates.
- 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) Outline of measures that you will take to control noise impacts from equipment and machinery.
 - (e) Contingency plans and emergency procedures for non-routine situations.
 - (f) Organisational structure and responsibility.
 - (g) Type and capacity of plant and machinery used in the activity.
 - (h) Method of dredging (e.g. mechanical, cutter suction etc.).
 - (i) Quantity of material to be dredged annually.
 - (j) Effective communication.

- (k) Monitoring of contaminant releases.
- (l) Conducting environmental impact assessments.
- (m) Staff training (Details of procedures for education and training of staff about environmental issues.
- (n) Record keeping.
- (o) Periodic review of environmental performance and continual improvement.
- (p) Details of contingency plans for emergencies/environmental incidents.

(G7) The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.

(G8) Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.

(G9) All records required by this approval must be kept for 5 years.

(G10) Notification

Telephone DERM's Pollution Hotline 1300 130 372 or local office (07) 54 596 132 as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.

(G11) A written notice detailing the following information must be provided to DERM within 14 days of any advice provided in accordance with condition (G10):

- 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.

(G12) Monitoring

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

(G13) Equipment Calibration

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.

(G14) Complaint Response

The operator of the activity 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 formed; and
- e) any actions taken.

Agency Interest: Dredging

- (D1) All dredging works must comply with the standards of the National Assessment Guidelines for Dredging 2009 and the National Ocean Disposal Guidelines for Dredged Material Commonwealth of Australia, 2002.
- (D2) An assessment of the sediment sand quality is to occur every ten years in accordance with section 3.0 Detailed Guidelines for Investigating and Assessing Dredged material of the National Ocean Disposal Guidelines for Dredged Material 2002 or undertaken earlier if instructed by the administering authority.
- (D3) The permit holder must provide written notification to the administering authority one week prior to commencing dredging and/or ceasing dredging.
- (D4) The material to be dredged is confined to within the boundaries of the dredge area indicated on the approved plan 'Mooloolah River Entrance – Mooloolaba Dredge and Disposal Area Approval Drawing – BN-15-49-1A annexed Maps\Plans hereto.
- (D5) The placement of dredged material may only be transferred to either the sand replenishment pipe system used in the Mooloolaba Beach nourishment works or the works must be in accordance with the approved plan 'Mooloolah River Entrance – Mooloolaba Dredge and Disposal Area Approval Drawing – BN-15-49-1A annexed Maps\Plans hereto.
- (D6) The dredger shall not remove dredge material from the bed below -6.0m LAT or to bedrock which ever occurs first.
- (D7) The sand being transferred from the dredge to the beach via the pipe network system must be clean and free of silt, clay, organic material or any other deleterious substance, and must be of grain size compatible with the existing beach sand.
- (D8) Beach nourishment profiles are to be as per specifications as indicated on drawing 09S-032-C202 Mooloolaba Spit Beach Renourishment Deposition Area – Type Cross Section dated August 2009 annexed Maps\Plans hereto.
- (D9) Before dredging commences, and during the whole of the dredging operations, each dredge and each item of equipment carrying out the actual removal of the material shall display a sign which is clearly legible from either side of the dredge or equipment. This sign shall display the name of the dredger and the number of this permit. The lettering on the above sign shall be at least three hundred millimetres high and formed of strokes each a minimum of fifty millimetres wide.
- (D10) On completion of the dredging operation or when directed by the administering authority to do so, the dredger shall remove all dredge plant and equipment (including pipes, floats and other equipment used in or in connection with the dredging operations) from the site.
- (D11) The dredge and/or deposition area must be surveyed and submitted to the administering authority upon request.
- (D12) If dredging works have not been conducted in accordance with this approval the dredger shall, at their expense rectify the works when directed by the administering authority. Only granular material of a quality and grading approved by the administering authority shall be used to repair over dredged areas.
- (D13) Dredging works must ensure that no significant hydrological changes to tidal hydrodynamics, wave or current conditions occur either directly or indirectly in the immediate area that could induce detrimental impacts on the adjacent coastline or beach profiles.

- (D14) For works above high water, there must be no disturbance of any turtle or shorebird nest identified within the area to be nourished. Should any turtle or shorebird nest be identified as a result of these works then works are to cease immediately, and the administering authority must be contacted. Works are not to recommence until advised by the administering authority.
- (D15) All practical and reasonable measures must be taken to prevent the occurrence of by-catch associated with the dredging operation and associated activities.
- (D16) Recording of any inadvertent by-catch associated with the sand dredging activity must be undertaken on a daily basis during dredging operations. Records of any by-catch must be provided to the administering authority upon request.
- (D17) Records of the volume of sand dredged are to be kept and provided to the administering authority upon request.

Agency Interest: Water

- (W1) All possible measures must be taken to minimise the release of contaminants as a result of these works to any waters or the bed and banks of any waters.
- (W2) In the event of a toxicity or contaminant incident occurring as a direct result of the dredging works, all works associated with this approval are to cease immediately until further notice by the administering authority.
- (W3) If any foaming or scum develops at the dredge site a means of containing and preventing the dispersion of this material must be implemented. Such actions may include, but are not limited to:
- the use of a floating boom;
 - physically dispersing or removing the foam or scum.
- (W4) Any control measures installed in receiving waters may only be removed when water quality monitoring results demonstrate that the removal of such measures will not have any adverse impacts on adjacent water quality.
- (W5) No visible turbidity plume is to occur 50m beyond the point of dredging or the point of deposition or impact upon the recreational use values of Mooloolaba Beach.
- (W6) If a visible plume exists or develops beyond the limits defined in (W5), or the turbidity release limit is exceeded, then the works must cease until the cause and nature of the plume is determined and action is taken to prevent any further release. Appropriate actions may include, but not be limited to:
- ceasing the activity causing the plume or release;
 - installation of a silt curtain to enclose the area.
- (W7) Monitoring.
- Water quality monitoring (visual) must be undertaken daily of the dredge extraction area and disposal area and records kept of any observations.
- (W8) Monitoring frequency includes when dredging, during dredging and/or when conducting beach nourishment works.
- (W9) In the event that the administering authority requires water quality sampling or dredge material sampling, all determinations of the quality of the samples must be:
- a) made in accordance with methods prescribed in the latest edition of the Department of Environment and Resource Management Water Quality Sampling Manual; and
 - b) carried out on samples that are representative of the discharge.

- (W10) Written records must be kept detailing tidal conditions at the time of each monitoring event.
- (W11) There must be no release of petroleum oil or other harmful chemicals to any waters from any vessel used in the dredging operations.

Agency Interest: Waste

- (WS1) All refuse storage, removal and collection methods must be in accordance with the *Environmental Protection (Waste Management) Regulation 2000* and the *Environmental Protection (Waste Management) Policy 2000* so as not to cause any unreasonable interference with the amenity to the surrounding area and to provide an acceptable level of amenity for future users of the site.

Agency Interest: Noise

- (N1) Noise Nuisance.
- Noise from the activity must not cause an environmental nuisance at any nuisance sensitive place or commercial place.
- (N2) 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:
- (a) L_A 10, adj, 10 mins
 - (b) L_A 1, adj, 10 mins
 - (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.
- (N3) The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Resource Management Noise Measurement Manual.
- (N4) All noise from activities must not exceed the levels specified in Table 1 - Noise limits at any nuisance sensitive or commercial place.

Table 1 - 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 'Nuisance sensitive place'					
L _{A10} , adj, 10 mins	Bkg + 5	Bkg + 5	Bkg + 0	Bkg + 5	Bkg + 5	Bkg + 0
L _{A1} , adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
	Noise measured at a 'Commercial place'					
L _{A10} , adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
L _{A1} , adj, 10 mins	Bkg + 15	Bkg + 15	Bkg + 10	Bkg + 15	Bkg + 15	Bkg + 10

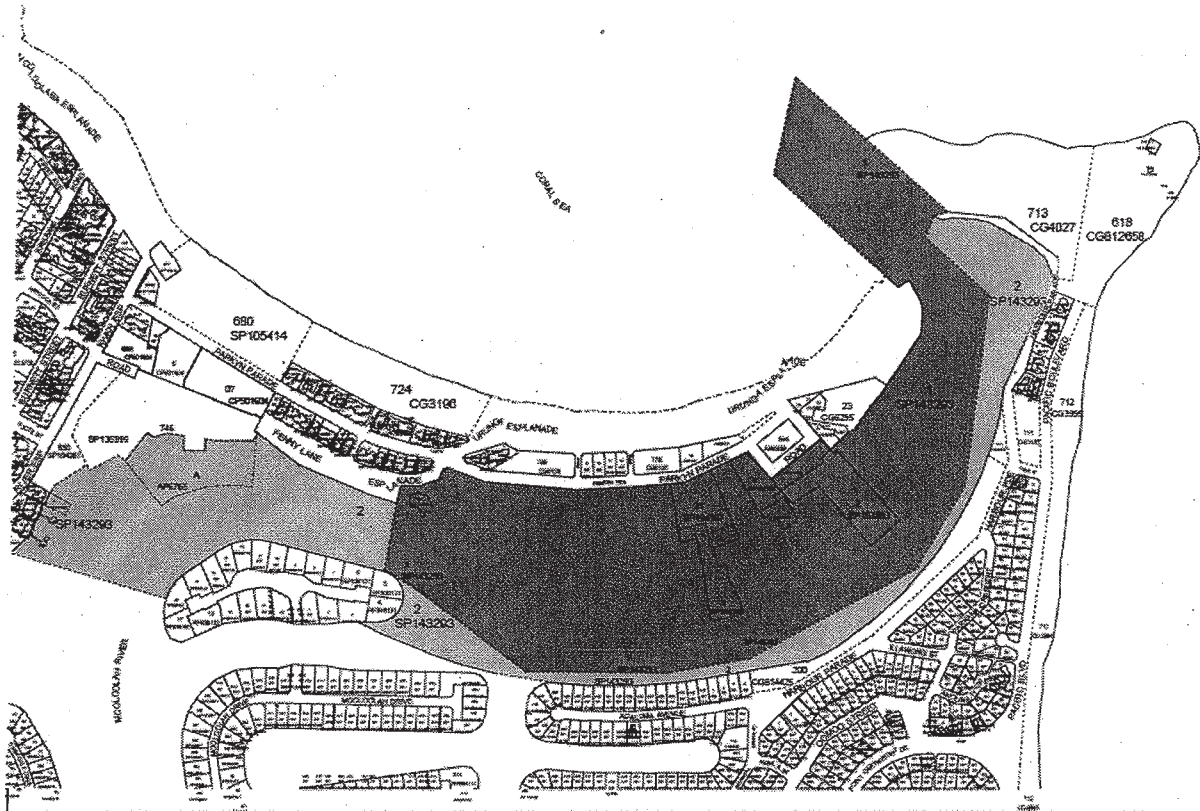
- (N5) If in the opinion of an authorised person monitoring results indicate environmental nuisance is being caused by noise from the works, the registered operator must:
- (a) address the complaint including the use of appropriate dispute resolution if required; or
 - (b) immediately implement abatement measures so that noise from the works do not result in any further environmental nuisance.

Agency Interest: Air

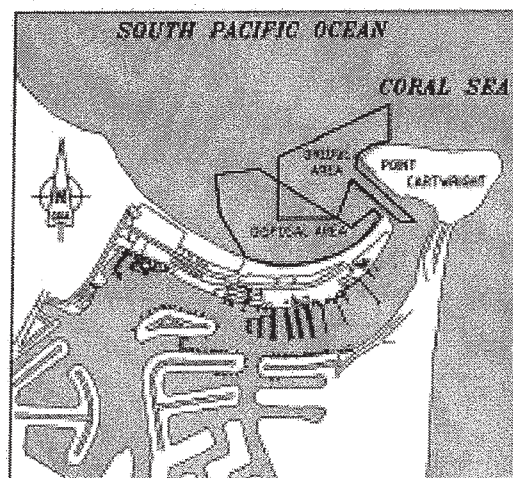
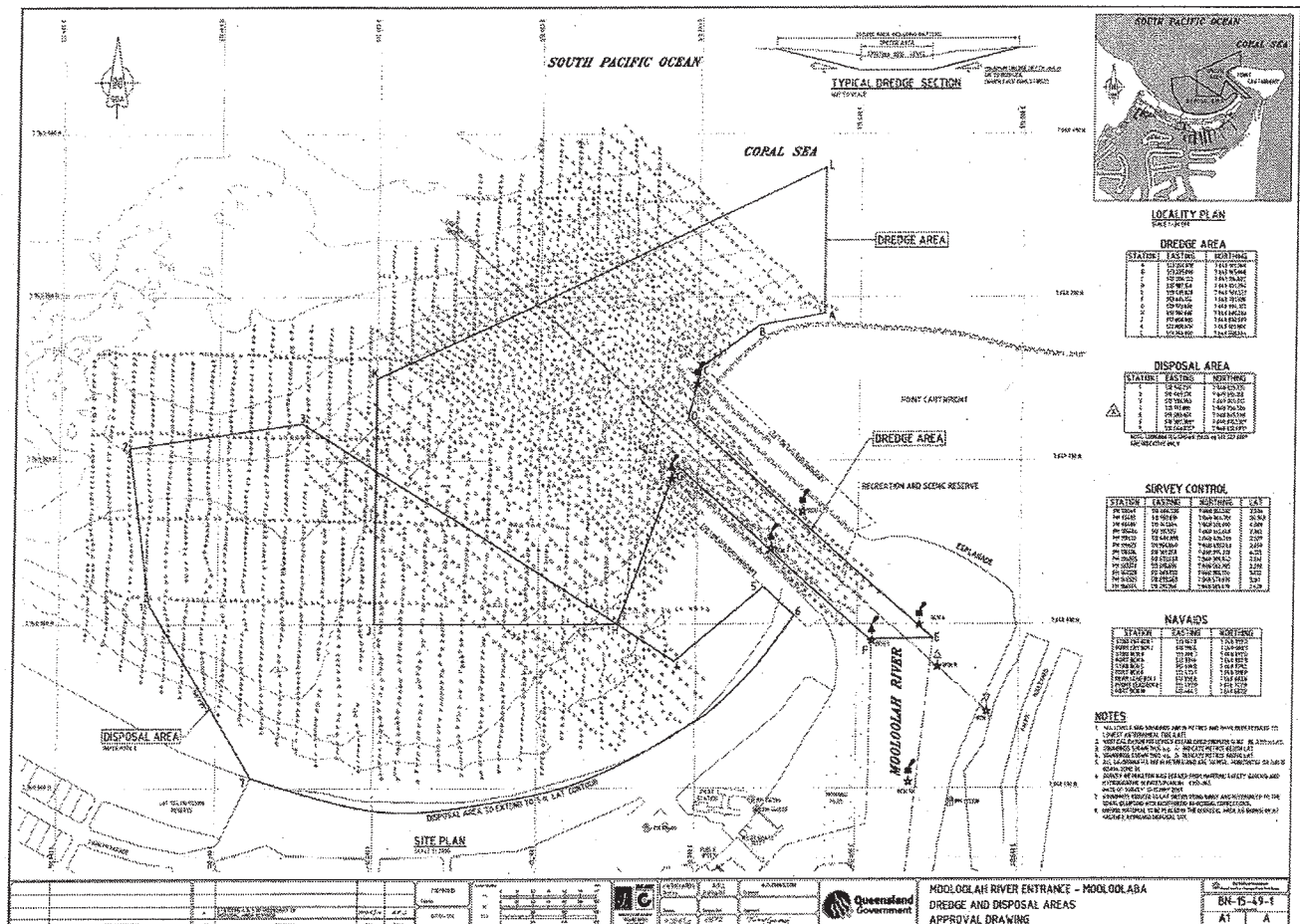
- (A1) The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the works must not cause a nuisance at any nuisance sensitive or commercial place.
- (A2) If in the opinion of an authorised person odour monitoring results indicate environmental nuisance is being caused by odour from the works, the registered operator must:
- (a) address the complaint including the use of appropriate dispute resolution if required; or
 - (b) immediately implement abatement measures so that the odour from the works do not result in any further environmental nuisance.
- (A3) The release of dust or particulate matter resulting from the activity must not cause a nuisance at any nuisance sensitive place or commercial place.
- (A4) Exceeding any of the following levels below, when measured at any nuisance sensitive place, is a nuisance for the purposes of condition (A3).
- 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.
- (A5) When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of 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.

Maps / Plans

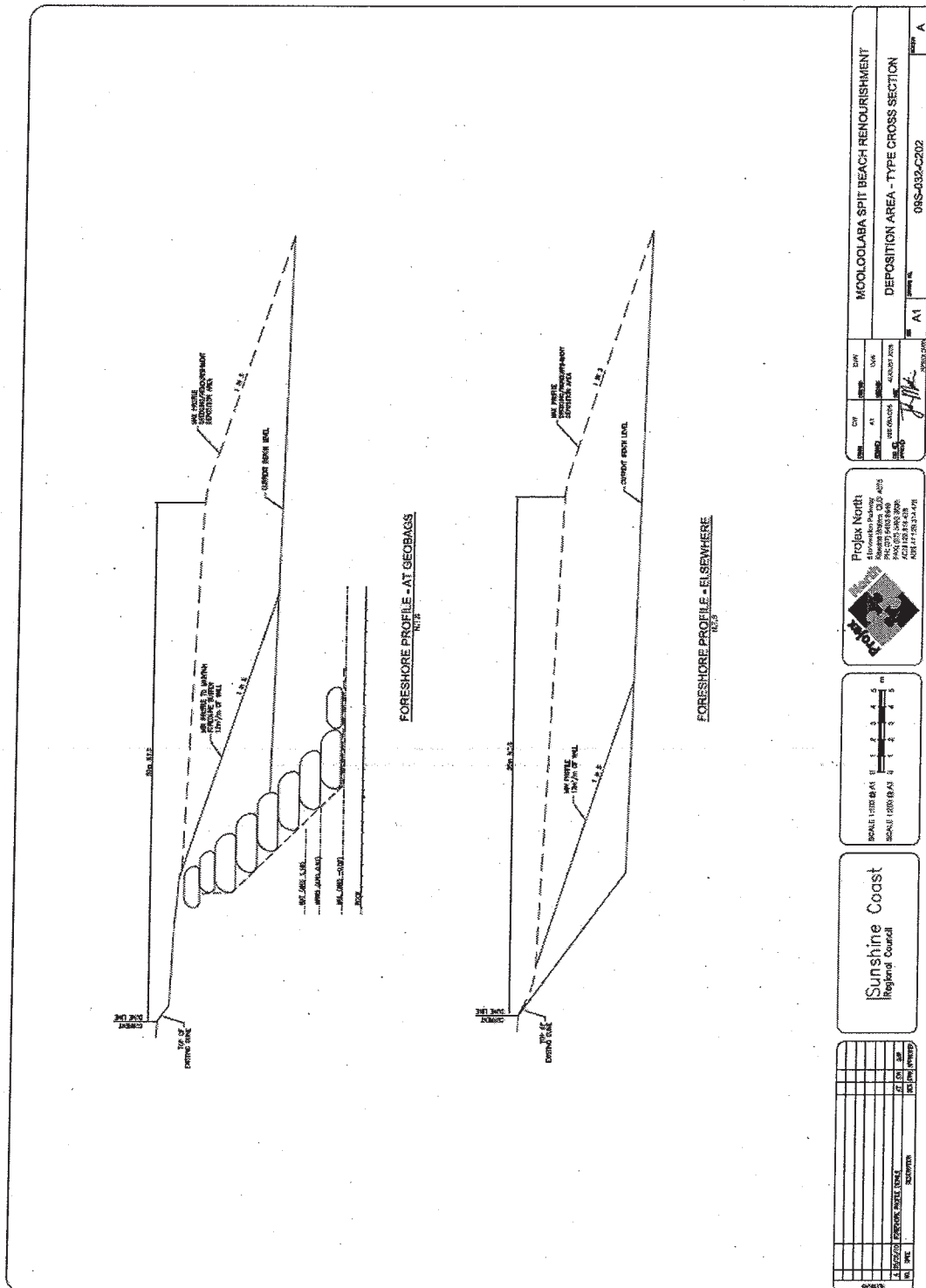
Lot & Plan – Lot 1 on SP143293 (Orange shaded)



**Mooloolah River Entrance – Mooloolaba Dredge and Disposal Areas Approval Drawing
BN-15-49-1A dated 7.5.10**



**Drawing 09S – 032 - C202 – Mooloolaba Spit Beach Renourishment Deposition Area –
Type Cross Section – Dated August 2009 – RPEQ5085**



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 Department of Environment and Resource Management (DERM) or its successor.

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

"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.

"by-catch" means the unintentional and untargeted capture or entrapment of marine species that are listed as threatened, endangered, protected, vulnerable and rare.

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

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

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

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

"Department of Environment and Resource Management" 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.

"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.

"No disturbance" to wildlife includes –

- (a) approach, harass, harm, lure, pursue, tease or touch the animal; and
- (b) attempt to do an act mentioned in paragraph (a); and
- (c) interfere with -, destroy, damage, mark, move or dig up

"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.

"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.

"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.

"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

