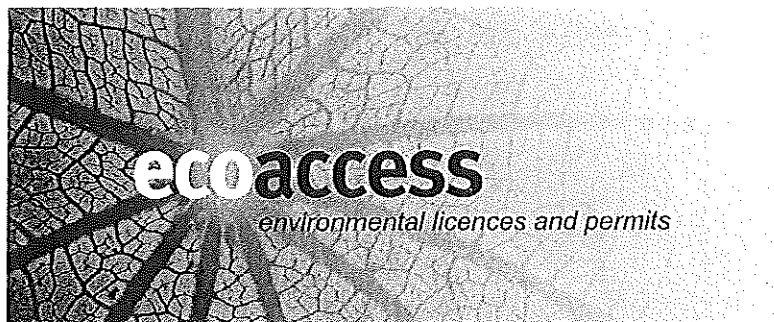




Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE01983510

This registration certificate is issued by the administering authority and takes effect from: 01-OCT-2010.

The anniversary day for the purposes of the Annual Return is: 1st OCTOBER.

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 IPDE01607109 attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-

Sawtell & Sons Pty. Limited
75 Currumbin Creek Road,
CURRUMBIN WATERS QLD 4223

Development Approval No:-

DERM Permit No: IPDE01607109

Located at:-

31 - 47 Tallebudgera Connection Road, TALLEBUDGERA QLD 4228

Place:-

Lot 2 Plan RP148506

Registered Activity:-

ERA 16 Extractive and screening activities Threshold 3(a) - screening, in a year, 5000t to 100000t of material

A handwritten signature in black ink, appearing to read 'R. Zande'.

Delegate

Rhonda Zande
Administering authority
Environmental Protection Act 1994

01-OCT-2010

DERM Permit ¹ number: IPDE01607109

Assessment manager reference:	IPDE01607109
Project Reference:	340410
Date application received:	04-SEP-2009
Permit type:	
Decision:	Approved with conditions
Relevant laws and policies:	<i>Environmental Protection Act 1994</i> and any related statutory instruments and subordinate legislation

Development Description

Property	Lot/Plan	Aspect of Development
31 - 47 Tallebudgera Connection Road, TALLEBUDGERA QLD 4228	Lot 2 Plan RP148506	ERA 16 Extractive and screening activities Threshold 3(a) - screening, in a year, 5000t to 100,000t of material

Reason(s) for inclusion of conditions

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

Additional comments or advice about the application

The site operations are to be undertaken in a manner by which environmental harm is not caused to the Palastrine wetlands located to the north and south of the approved place.

Additional information for applicants

The standard currency periods stated in section 3.5.21 of the *Integrated Planning Act 1997* or the nominated currency period, apply to each aspect of development in this permit¹. For information on when this permit¹ takes effect and the relevant currency periods, please see point 3 in the Notice of Decision.

Contaminated Land

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a Notifiable Activity (as defined by Schedule 2 of the *Environmental Protection Act 1994*) is being carried out on the land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming so aware, give notice to the Department of Environment and Resource Management.

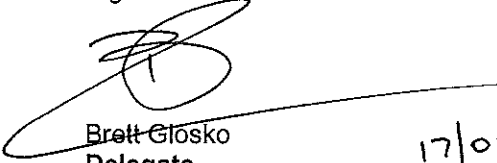
Environmentally Relevant Activities

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.

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.

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*.



17/08/10

Brett Glosko
Delegate
Manager- Gold Coast
Environmental Services (South)
Department of Environment and Resource Management

ERA 16 (3)(a) Extractive and screening activities - Screening, in a year, 5000t to 100,000t of material.

Agency Interest: General

- (G1) **Prevent and/or minimise likelihood of environmental harm.**
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.
- (G2) **Display of Development Approval**
A copy of this development approval must be kept at the site in a location readily accessible to all personnel carrying out the activity.
- (G3) **Maintenance of Measures, Plant and Equipment.**
The registered 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;
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.
- (G4) **Site Based Management Plan**
The Site Based Management Plan (SBMP) titled, Site Based Management Plan 31-47 Tallebudgera Connection Road, Tallebudgera ERA 16(3(a)) Screening prepared for Sawtell and Sons Pty Ltd by Mark Rigby & Associates Pty Ltd dated May 2010 or subsequent approved versions must be implemented from the effective date of this approval.
- (G5) The SBMP must not be implemented or amended in a way that contravenes any condition of this approval.
- (G6) A copy of the SBMP must be kept at the approved place to which the plan relates and be available for examination by an authorised person upon request.
- (G7) **Records**
Record, compile and keep all monitoring results (for a minimum of 5 years) required by this approval.
- (G8) **Notification**
In carrying out an ERA to which this approval relates a person must contact via telephone DERM's Pollution Hotline (1300 130 372) or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval or an event where environmental harm has been caused or may be threatened.
- (G9) Written advice detailing the following information must be provided to the administering authority within fourteen (14) business days following any notification in accordance with condition (G8):
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 you 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.

(G10) Monitoring

All monitoring, assessments and reports required by this approval must be conducted by a person(s) with appropriate experience and/or qualification.

(G11) 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.

(G12) Trained / Experienced Operator(s)

The daily operation of the ERA(s) to which this approval relates must be carried out by a person(s) with appropriate experience and/or qualifications to ensure the effective operation of the approved activities.

(G13) Spill Kit

An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site.

(G14) Spill Kit Training

Anyone operating under this approval must be trained in the use of the spill kit.

(G15) Exception Reporting

A person carrying out an ERA to which this approval relates, as soon as practicable but not more than six (6) weeks following any environmental monitoring performed in relation to a condition of this approval, emergency or incident, provide written advice of the results of any environmental monitoring performed.

(G16) The written notification required by approval condition G15 must include:

- a) the full analysis results;
- b) details of investigation or corrective actions taken; and
- c) any subsequent analysis.

(G17) Alterations

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

(G18) Acid Sulfate Soils

Acid sulfate soils and contaminated soils and are not permitted to be received at the approved place.

(G19) Acid sulfate soils and contaminated soils and are not permitted to be processed at the approved place.

Agency Interest: Air

(A1) Nuisance

The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from an ERA to which this approval relates must not cause an environmental nuisance beyond the boundaries of the approved place and/or at any nuisance sensitive or commercial place.

(A2) **Dust Nuisance**

The release of dust and/or particulate matter resulting from an ERA to which this approval relates must not cause an environmental nuisance at any nuisance sensitive place.

(A3) A person carrying out an ERA to which this approval relates must take the necessary measures to prevent or minimise the release of dust to the atmosphere from screening equipment and material conveyor systems.

(A4) Stockpiles must be maintained to prevent or minimise the release of windblown dust to atmosphere.

(A5) Trafficable areas must be maintained to prevent or minimise the release of windblown or traffic generated dust to the atmosphere.

(A6) The unloading of materials at the approved place must be conducted in a manner that prevents the release of dust from the approved place.

(A7) A person carrying out an ERA to which this approval relates must take the necessary measures to prevent the release of dust from vehicles used for transporting soil/sand from the site.

(A8) A vehicle wheel wash is to be operated and maintained at the approved place.

(A9) If material is deposited on any public road by vehicles leaving the approved place, the clean-up of such material is to occur immediately.

(A10) 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 by an independent person or body possessing appropriate experience and qualification to perform the required measurements, at a place(s) relevant to the potentially sensitive place and upwind sites and the environmental nuisance assessment report must include:

- (a) dust deposition for a complaint alleging dust nuisance monitored in accordance with AS3580.10.1 of 2003 (or more recent editions); and
- (b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM10) suspended in the atmosphere over a 24 hour averaging time in accordance with 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
- (c) 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.

(A11) Notwithstanding condition A10, dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place:

- (a) dust deposition of 120 milligrams per cubic metre per year, when monitored in accordance with Australian Standard AS3580.10.1 of 2003 (or more recent editions); or
- (b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time over a five day period, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with.

Australian Standard AS3580.9.6 of 2003 (or more recent editions) "Ambient Air- Particulate Matter - Determination of suspended particulates PM10 high-volume sampler with size 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.

- (A12) The environmental nuisance assessment report required by condition (A10) must consider:
- (a) the air quality values and air quality objectives outlined in the *Environmental Protection (Air) Policy 2009*;
 - (b) duration of release;
 - (c) regularity of release;
 - (d) whether the release is cumulative;
 - (e) characteristics of the release, e.g. particle size, toxic properties, colour;
 - (f) whether the release is likely to give rise to health issues;
 - (g) background levels;
 - (h) recommended Australian guideline particulate and health levels; and
 - (i) the opinion of all persons affected by the release.
- (A13) If monitoring indicates or where it is determined by an authorised person that environmental nuisance is caused or threatened by the release of odour, dust and/or particulate emissions from the approved activities, then the registered operator must:
- (a) advise the administering authority of planned abatement measures; and
 - (b) immediately implement the advised abatement measures such that the release of odour, dust and/or particulate emissions from the activity cease.

Agency Interest: Water

(WA1) Release of Contaminants to Waters

Contaminants must not be directly or indirectly released from the approved place to any waters or the bed and banks except during a flood event caused by a 1 in 50 year rainfall event.

(WA2) Sediment and Erosion Control

Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment. The size of any sedimentation dam must be sufficient to contain the run-off expected from a 24 hour storm with an average recurrence interval of 1 in 5 years.

(WA3) All reasonable and practicable measures must be taken to minimise surface run off from undisturbed areas from entering disturbed areas, ponds or other structures used for the storage or treatment of contaminants or wastes.

(WA4) Diversion drains, appropriate grades or equivalent must be installed to ensure surface waters from areas subject to processing and stockpiling activities are directed to the sediment control system.

(WA5) A person carrying out an ERA to which this approval relates must be conducted so as to prevent the release of any contaminants to waters, roadside gutter or stormwater drain.

(WA6) Sediment and erosion controls must be inspected within 24 hours of all rainfall events and maintained where appropriate.

(WA7) Stormwater dam conditions

The stormwater dam used for the storage and treatment of contaminated stormwater at the approved place must be constructed, installed and maintained:

- (a) so as to minimise the likelihood of any release of the stored contaminated stormwater through the bed or banks of the basin to any waters (including groundwater);
- (b) so that the freeboard of not less than 0.5 metres is maintained at all times except in events of greater than a 24 hour rainfall event with an average recurrence interval of 1 in 5 years;
- (c) so as to ensure the stability of the ponds construction;
- (d) so as to ensure an emergency spillway is constructed to a minimum design standard of a critical 1 in 50 year ARI event; and
- (e) so as to ensure that treated stormwater released from the basin does not come in contact with contaminants prior to leaving the site.

- (WA8) Reasonable and practicable measures must be taken to prevent short-circuiting in the stormwater dam. These measures are to include:
- a) ensuring relatively uniform velocities through the dam; and
 - b) ensuring that the dam inlet and outlet are located at opposite ends of the dam along the long axis; and
 - c) ensuring that the dam is periodically desludged to maintain efficiency in the settlement of solids; and
 - d) ensuring that sufficient capacity is available within the dam system such that stormwater flows do not flush out settled solids; and
 - e) ensuring that there are no obstructions, such as vegetation, within the dam, that materially alters the velocities of water flowing through the different sections of the basin.
- (WA9) **Cleaning and Spillage**
The maintenance and cleaning of any vehicles, and other equipment must be carried out in areas where contaminants cannot be released into any waters, roadside gutter or stormwater drain external to the approved place.
- (WA10) A person carrying out an ERA to which this approval relates must ensure that:
- a) any spillage of waste, contaminants or other materials must be cleaned up as quickly as practicable; and
 - b) any spillage of waste, must not be cleaned up by hosing, sweeping or otherwise releasing such waste, contaminants or material to any stormwater drainage system, roadside gutter or waters external to the approved place.

Agency Interest: Land

- (L1) **Preventing Contaminant Releases to Land**
Contaminants must not be released to land unless otherwise prescribed by a condition of this development approval.
- (L2) Spillage of all chemicals and fuels must be contained within an on-site containment system which is impermeable to the material/s stored 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.

Agency Interest: Noise

- (N1) **Noise Nuisance**
Noise from an ERA to which this approval relates must not cause an environmental nuisance at any noise sensitive or commercial place.
- (N2) All noise from the approved place to which this approval relates 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 'Noise sensitive place'					
L _{Aeq} , adj. 1 hour	Bkg + 5	Bkg + 0	Bkg + 0	No audible noise		
L _{A10} , adj. 1 hour	Bkg + 10	Bkg + 5	Bkg + 5			
	Noise measured at a 'Commercial place'					
L _{Aeq} , adj. 1 hour	Bkg + 10	Bkg + 5	Bkg + 5	No audible noise		
L _{A10} , adj. 1 hour	Bkg + 15	Bkg + 10	Bkg + 10			

(N3) Noise Monitoring

When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief), and the results notified within 14 days to the administering authority.

For the purpose of this condition, noise monitoring must be conducted by a person(s) with appropriate experience and/or qualifications in accordance with the latest edition of the Department of Environment and Resource Management Noise Measurement Manual, and include:

- L_{Aeq}, adj, 1hr;
- L_A bg, T or L_{A90}, T;
- L_{A10}, adj, 1 hour;
- L_{A1}, adj, 1 hour;
- Relevant background sound level (bg);
- 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;
- location, date and time of measurements; and
- details of measurement instrumentation and measurement procedure.

(N4) If noise monitoring indicates or where it is determined by an authorised person that environmental nuisance is being caused, you must:

- address the complaint, including the use of appropriate dispute resolution if required; and
- immediately implement noise abatement measures so that emissions of noise from site activities do not result in further environmental nuisance.

(N5) Explosive blasting is not permitted on Lot 2 on RP148506.

(N6) The site operations are to be orientated in accordance with Figure 1- Site Layout.

(N7) All mobile and stationary equipment containing internal combustion engines are to be fitted with a suitable muffler.

(N8) Reversing alarms for mobile equipment are to have their acoustic range limited to the immediate danger area.

- (N9) A vegetated earthen buffer must be maintained along the western property boundary of Lot 2 on RP148506 boarding Tallebudgera Connection Road in accordance with Figure 1- Site Layout.
- (N10) The vegetated earthen bund required by condition N9 must be maintained on a monthly basis by means of ensuring the removal of dead plants are replaced with live plants as a minimum to ensure a visual buffer is maintained between the approved place and the surrounding residents.

Agency Interest: Waste

- (W1) **General**
Except as otherwise provided by the development conditions, the registered operator of the ERA(s) must not:
- (a) allow waste to burn or be burned at or on the premises to which this development approval relates; nor
 - (b) remove waste from the premises to which this development approval relates and burn such waste elsewhere unless it is a facility approved to burn such waste.
- (W2) **Waste handling**
All waste generated in the carrying an ERA to which this approval relates must be minimised, recycled, sorted, handled, and transferred in a proper and efficient manner. Disposal of such waste must be at a facility lawfully able to accept such waste.
- (W3) 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 1994*.
- (W4) **Waste records**
Where regulated waste is removed from the site (other than by a release as permitted under another condition of this development approval), the registered operator of the ERA(s) must monitor and keep records of the following:
- (a) the date, quantity and type of waste removed; and
 - (b) name of the waste transporter and/or disposal operator that removed the waste; and
 - (c) the intended treatment/disposal destination of the waste.
- NOTE: Trackable wastes as listed in Schedule 1 of the *Environmental Protection (Waste Management) Regulation 2000* are not covered by this condition. Trackable wastes have similar recording requirements to this condition in accordance with a waste tracking system established under the above Regulation.
- (W5) **Notification of Improper Disposal of Regulated Waste**
If a person removes regulated waste associated with activities at the approved place and disposes of such waste in a manner which is not authorised or is improper or unlawful then, the registered operator must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

Agency Interest: Social

- (S1) **Complaint Response**
A person carrying out an 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 record of following information must be kept for a period of three (3) years:
- (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.

- (S2) In consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the site specifically or the area where the site is located.

END OF CONDITIONS

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 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 place" means 31 - 47 Tallebudgera Connection Road, TALLEBUDGERA QLD 4228 (Lot 2 on RP148506).

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

"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*.

"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;
- 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, 1hr}" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any one hour measurement period, using Fast response.

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

"L_{Aeq, adj 1hr}" means the time average A-weighted sound pressure level, within the meaning given by AS 1055.1, for a one hour time interval.

"L_{Abg, T} or (L_{A90, T})" Background sound pressure level L_{A90, T} is the A-weighted sound pressure level obtained using time-weighting 'F' exceeded for 90 percent of the measuring period 'T'.

"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.

"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.

"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.



Appendix 1: Figure 1- Site Layout

