

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE00444905

This registration certificate is issued by the administering authority and takes effect from: 27-FEB-2012.

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 25 November 2009.

The anniversary day for the purposes of the Annual Return remains: 15 October.

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

Registered Operator:-

Muchtown Pty Ltd
Trading as Kilcoy Riversand
Jacaranda Plaza,
Jacaranda Ave,
MORAYFIELD QLD 4510

Place:- Lot 195 Plan CP31911

Located at:- Arnolds Road, KILCOY QLD 4515

Registered Activities: -

ERA 16 Extractive and screening activities Threshold 1(a) - dredging, in a year, 1000t to 10000t of material

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

John Rice
Delegate of the Chief Executive
Department of Environment and Resource Management
Environmental Protection Act 1994
27-FEB-2012

COPY

Replacement Development Approval

Section 621(4) *Environmental Protection Act 1994*

03 MAR 2009

EPA Development Application ENCD00628907
(Converted Development approval) number: SR2837 (AR & KM Draper)

Relevant Laws and Policies: *Environmental Protection Act 1994* and subordinate legislation

Under the provisions of the *Environmental Protection Act 1994* this development approval is issued to:

Muchtown Pty Ltd
 Trading as Kilcoy Riversand
 155 Currie Street
 NAMBOUR QLD 4560

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

ERA 22(a) – 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 not more than 50 t but less than 5 000 t, a year.

at the following place:

Lot 195 on Plan C31911, Parish of Kilcoy, County of Canning.

located at:

Arnolds Road South, Glenfern, KILCOY QLD 4515

The environmentally relevant activity must be constructed, operated and maintained in accordance with the conditions as set out in the attached schedule of conditions.

Further development permits required

Nil

Additional information for applicants

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

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*.

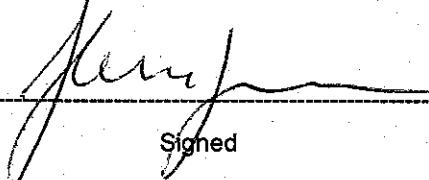
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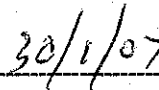
Appeal

This development approval is issued pursuant to section 621 of the *Environmental Protection Act 1994*. The rights of review and appeal are attached to this notice.

This development approval takes effect 10 Business days after you receive this notice, or if there is an appeal from the day the appeal is finally decided or is otherwise ended.



Signed



Date

Dr Glen Brown
District Manager
Delegate of Administering Authority
Environmental Protection Act 1994

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This development approval consists of the following schedules as follows:

- Schedule A - General Conditions
- Schedule B - Air
- Schedule C - Water
- Schedule D - Stormwater Management
- Schedule E - Land Application
- Schedule F - Noise
- Schedule G - Waste Management
- Schedule H - Monitoring and Reporting
- Schedule I - Definitions
- Schedule J - Site Plans

SCHEDULE A - GENERAL CONDITIONS

Release of Contaminants Not Otherwise Provided For

(A1) The holder of this environmental authority must:

- (i) install all plant and equipment necessary to ensure compliance with the conditions; and
- (ii) maintain such plant and equipment in a proper and efficient condition; and
- (iii) operate such plant and equipment in a proper and efficient manner.

In this condition, "plant and equipment" includes:

- (i) plant and equipment used to prevent and/or minimise the likelihood of environmental harm being caused;
- (ii) devices and structures to contain foreseeable escapes of contaminants and waste;
- (iii) vehicles used to transport waste;
- (iv) devices and structures used to store, handle, treat and dispose of waste;
- (v) monitoring equipment and associated alarms; and
- (vi) backup systems that act in the event of failure of a primary system.

Display of Environmental Authority

(A2) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A3) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five (5) years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

(A4) 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 environmental authority.

An example of a substantial increase in the risk of environmental harm is an increase of 10% or more in the quantity of the contaminant to be released into the environment.

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Calibration

- (A5) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.

Buffer Distance

- (A6) A natural or revegetated buffer zone of at least 40 metres must be maintained between the extraction area and any residential area.

Site Rehabilitation and Decommissioning Report (SRDR)

- (A7) Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of extraction are commenced within the licensed place.

End of Conditions for Schedule A**SCHEDULE B – AIR****Dust and Particulate Emissions - General**

- (B1) Dust or particulate matter that will have or is likely to have an adverse effect on people living in or using the surrounding area shall not be permitted to emanate beyond the boundaries of the licensed place.

Dust Control - General

- (B2) The environmentally relevant activities must be managed using all reasonable and practicable measures to minimise the release of wind blown dust to the atmosphere. Reasonable and practicable measures may include but are not limited to:
- (i) restriction of vehicular movement within the licensed place to designated access routes;
 - (ii) minimisation of exposed surface area to that within the current areas of operation;
 - (iv) transfer of materials in a moist state where possible;
 - (v) adoption of best industry practice environmental management for the extraction and processing of aggregates; and
 - (vi) use of a water cart(s) as necessary on site access roads.

Dust Control - Transport Trucks

- (B3) The holder of this environmental authority must take all reasonable and practicable measures necessary to prevent spillage and/or loss of particulate matter or windblown dust from trucks used for transporting aggregates from the licensed place. Reasonable and practicable measures may include but are not limited to:
- (i) wetting down the load prior to transport;
 - (ii) having the entire load covered with a tarpaulin or similar material for the duration of transport; and
 - (iii) clearing of spillage from side rails, tail gates and draw bars of trucks prior to departure from the licensed place and prior to departure from the premises to which the load has been delivered.
- (B4) Unsealed trafficable areas must be maintained, at all times, in a condition which minimises the release of wind-blown or traffic-generated dust.

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Rehabilitation

- (B5) Rehabilitation work must be carried out progressively in a manner so as to minimise releases of wind-blown dust and erosion to the atmosphere.
- (B6) Access to areas awaiting or being rehabilitated must be restricted by suitable barriers to prevent disturbance of these areas.

Screening Equipment

- (B7) Fine misting sprays, where practicable, shall be fitted and operated at each transfer point while screening is carried out as necessary to minimise the release of dust and wind blown particulate matter to the atmosphere.
- (B8) Screens shall be fitted with dust covers on the top deck and dust seals between decks to prevent emissions of dust.

Conveyor Belts

- (B9) The holder of this environmental authority must take all reasonable and practicable measures necessary to prevent and/or minimise the release of particulate matter and dust to the atmosphere from the material conveyor systems serving the crushing and screening plant. Reasonable and practicable measures may include but are not limited to:
 - (i) the installation of windshields or barriers to suppress dust emissions; and
 - (ii) keeping the material conveyed in a moist state.

Stockpiles

- (B10) Water sprays are to be installed and operated on the stockpiles as necessary to minimise the release of dust and particulate matter to the atmosphere.

End of Conditions for Schedule B**SCHEDULE C - WATER****Release of Contaminants to Waters**

- (C1) Contaminants that are likely to cause environmental harm must not be directly or indirectly released from the licensed place to any waters or the bed and banks of any waters except:
 - (i) as permitted under the stormwater management schedule; or
 - (ii) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Conditions for Schedule C

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SCHEDULE D - STORMWATER MANAGEMENT

Maintenance and Clean - up

- (D1) The maintenance and cleaning of vehicles and any other earthmoving equipment must be carried out in areas from where contaminants cannot be released into any waters, roadside gutter or stormwater drainage system.
- (D2) 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

- (D3) All above ground chemical and fuel tank storage must be banded so that the capacity of the band is sufficient to contain at least 100% of the largest storage tank plus 10% of the second largest tank within the band.
- (D4) All chemical and fuel drum storage must be banded so that the capacity of the band is sufficient to contain at least 25% of the maximum design storage volume within the band.
- (D5) All bunding must be constructed of materials which are impervious to the materials stored.
- (D6) The base and walls of all banded areas must be maintained free from gaps or cracks.
- (D7) All banded areas must be roofed where practicable.
- (D8) Where it is not practicable to completely roof a banded area the holder of this environmental authority must ensure that any stormwater captured within the band is free from contaminants or wastes prior to release to waters or any stormwater drain.
- (D9) All empty drums must be stored with their closures in place.

Sediment and Erosion Control : General

- (D10) Diversion drains, appropriate grades or equivalent must be installed to ensure surface waters from disturbed areas, including operational or trafficable areas, are diverted to the sediment control system.
- (D11) All runoff from the stockpiles and the areas utilised for the operation of the stockpiles must be directed to the sedimentation ponds.
- (D12) Drainage through and from all trafficable areas and production activities must be designed to minimise surface flow velocities.

End of Conditions for Schedule D

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SCHEDULE E – LAND APPLICATION**Release of Contaminants to Land**

- (E1) The environmentally relevant activities must be carried out by such practicable means necessary to prevent the release or likelihood of release of contaminants to land which may cause such land to become contaminated land.

End of Conditions for Schedule E**SCHEDULE F - NOISE****Emission of Noise**

- (F1) In the event of a complaint made to the administering authority about noise that is unreasonable and/or intrusive, and that the administering authority considers is not frivolous or vexatious, then the emission of noise from the licensed place must not result in levels greater than those specified in Schedule F Table 1.

SCHEDULE F - TABLE 1

NOISE LIMITS AT A NOISE SENSITIVE PLACE	
Period	Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax,adj,T}$
7 am - 6 pm	Background noise level plus 5 dB(A)
6 pm - 10 pm	Background noise level plus 5 dB(A)
10 pm - 7 am	Background noise level plus 3 dB(A)
NOISE LIMITS AT A COMMERCIAL PLACE	
Period	Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level $L_{Amax,adj,T}$
7 am - 6 pm	Background noise level plus 10 dB(A)
6 pm - 10 pm	Background noise level plus 10 dB(A)
10 pm - 7 am	Background noise level plus 8 dB(A)

General

- (F2) Notwithstanding any other condition of this environmental authority, no operation in association with the quarry involving the movement of equipment, loading of vehicles or movement of vehicles onto or off the licensed place or the operation of crushing or screening equipment shall be carried out:
- (i) outside the hours of 6.00 am to 6.00 pm Mondays to Fridays;
 - (ii) outside the hours of 6.00 am to 3.00 pm Saturdays;

End of Conditions for Schedule F

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SCHEDULE G - WASTE MANAGEMENT

General

- (G1) Procedures must be implemented to ensure that wastes are minimised, recycled, stored, handled and transferred in a proper and efficient manner and that any disposal of waste (excepting any release of waste provided for by a condition of this environmental authority) is to a facility appropriate to accept such waste.
- (G2) Records of trade waste agreements must be made available to an authorised person for inspection on request

End of Conditions for Schedule G

SCHEDULE H - MONITORING AND REPORTING

Complaint Recording

- (H1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the licensed place must be recorded and kept in a log book with the following details:
- (i) time, date and nature of complaint;
 - (ii) type of communication (telephone, letter, personal etc.);
 - (iii) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded);
 - (iv) response and investigation undertaken as a result of the complaint;
 - (v) name of person responsible for investigating complaint; and
 - (vi) action taken as a result of the complaint investigation and signature of responsible person.

Ambient Particulate Monitoring

- (H2) Ambient particulate monitoring must be undertaken to investigate any complaint of dust nuisance upon receipt of a written request from the administering authority to carry out such monitoring.
- (H3) Analysis of the obtained samples must be made for the following:
- (i) total water insoluble dust in milligrams; and
 - (ii) dust fallout in milligrams/square metre/day.
- (H4) The samples must be collected in accordance with the requirements of Australian Standard AS 3580.10.1 - 1991 for Ambient Air - Particulate Matter.
- (H5) Records must be kept of the results of all monitoring of particulates in the ambient air for a period of at least three (3) years.

Noise Monitoring

- (H6) The holder of this environmental authority must monitor and record the noise levels as often as is necessary to check compliance with the conditions of this authority and to investigate any complaint of noise annoyance upon receipt of a request of a request from the administering authority to carry out such monitoring.

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- (H7) Monitoring and recording of noise levels from the environmentally relevant activity/activities must be undertaken for at least the following descriptors, characteristics and conditions:

- (i) $L_{Amax, adj. T}$
- (ii) $L_{Aeq, T}$ (or $L_{A90, T}$);
- (iii) $L_{AN, T}$ (where N equals statistical levels of 1, 10, 50, 90 and 99);
- (iv) $Max L_{pA T}$;
- (v) $L_{Aeq, T}$;
- (vi) The level and frequency of occurrence of impulsive or tonal noise;
- (vii) Atmospheric conditions including temperature, relative humidity, wind speed and direction;
- (viii) Effects due to extraneous factors such as traffic noise; and
- (ix) Location, date and time of recording.

- (H8) The measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.
- (H9) The method of measurement and reporting must comply with the Environmental Protection Agency Noise Measurement Manual, third edition, 1 March 2000, or more recent editions or supplements to that document as become available.
- (H10) Any record of the results of noise monitoring made in accordance with the above conditions must not be disposed of within 5 years of the date the record was made.

Records

- (H11) Records must be kept of the results of all monitoring of noise levels (including blasting noise and ground vibration levels) and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.

Notification of Emergencies and Incidents

- (H12) 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.
- (H13) The notification of emergencies or incidents as required by condition number H12 must include but not be limited to the following:
- (i) 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.
- (H14) 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 H13 in addition to:
- (i) proposed actions to prevent a recurrence of the emergency or incident;

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- (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.
- (H15) The written notification required by condition number H14 above must include:
- (i) the full analysis results; and
 - (ii) details of investigation or corrective actions taken; and
 - (iii) any subsequent analysis.

End of Conditions for Schedule H

SCHEDULE I - DEFINITIONS

Some of the words and phrases used throughout this licence are defined below:
For the purposes of this environmental authority the following definitions apply:

- (11) **"Act"** means the *Environmental Protection Act 1994*.
- (12) **"administering authority"** means the Environmental Protection Agency or its successor.
- (13) **"aggregates"** means rock of any size including overburden, sand and/or soil.
- (14) **"land"** in the **"Land Schedule"** of this environmental authority means land excluding waters and the atmosphere.
- (15) **"noise"** includes vibration of any frequency, whether emitted through air or another medium.
- (16) **" $L_{Amax, T}$ "** means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.
- (17) **"background noise level"** means either:
 - $L_{A90, T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than 15 minutes, using Fast response, or
 - $L_{A90, T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.
- (18) **" $MaxL_{pA, T}$ "** means the absolute maximum instantaneous A-weighted sound pressure level measured over a time period of not less than 15 minutes, using Fast response.
- (19) **"noise sensitive place"** means -
 - (a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or
 - (b) a motel, hotel or hostel; or
 - (c) a kindergarten, school university or other educational institution; or
 - (d) a medical centre or hospital; or
 - (e) a protected area; or
 - (f) a park or gardens.
- (110) **"commercial place"** means a place used as an office or for business or commercial purposes.
- (111) **"protected area"** means -

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- (a) a protected area under the *Nature Conservation Act 1992*; and/or
 - (b) a marine park under the *Marine Parks Act 1982*; and/or
 - (c) a World Heritage Area.
- (112) **"annoyance"**. In determining what constitutes "annoyance" regard must be had to Australian Standard 1055.2 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 Application to specific situations.
- (113) **"unreasonable noise"** means noise that causes unlawful environmental harm.
- (114) **"intrusive noise"** means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration that is
- (a) clearly audible to, or can be felt by, and individual; and
 - (b) annoys the individual.
- (115) **"unreasonable noise"** means noise that causes unlawful environmental harm.

End of Definitions for Schedule I

Schedule J - Site plans

Site plans are not required

End of conditions for Schedule J

END OF CONDITIONS

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COPY

Replacement Development Approval Section 621(4) *Environmental Protection Act 1994*

03 MAR 2008

EPA Development Application (Converted Development approval) number: **ENDC00147905**
SR2836 (AR & KM Draper)

Relevant Laws and Policies: *Environmental Protection Act 1994* and subordinate legislation

Under the provisions of the *Environmental Protection Act 1994* this development approval is issued to:

Muchtown Pty Ltd
Trading as Kilcoy Riversand
155 Currie Street
NAMBOUR QLD 4560

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

ERA 19(a) Dredging material - dredging material from the bed of any waters (other than dredging by a port authority of material for which a royalty or similar charge is not payable) using plant or equipment having a design capacity of not more than 5 000 tonnes per year.

at the following place:

Sandy Creek Watercourse adjacent to Lot 1 on RP25279, Lot 195 on C31911 and Lot 4 on CP855301, Parish of Kilcoy, County of Canning

located at:

Section of Sandy Creek located off Arnolds Road South, Glenfern, KILCOY 4515

The environmentally relevant activity must be constructed, operated and maintained in accordance with the conditions as set out in the attached schedule of conditions.

Further development permits required

Nil

Additional information for applicants

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

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*.

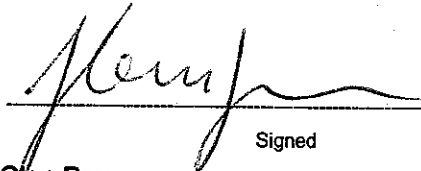
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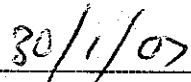
Appeal

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This development approval takes effect 10 Business days after you receive this notice, or if there is an appeal from the day the appeal is finally decided or is otherwise ended.


Signed

Dr Glen Brown
District Manager
Delegate of Administering Authority
Environmental Protection Act 1994


Date

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This development approval consists of the following schedules as follows:

- Schedule A - General Conditions
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise and Vibration
- Schedule E - Waste
- Schedule F - Land
- Schedule G - Community
- Schedule H - Definitions

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SCHEDULE A - GENERAL CONDITIONS**SCHEDULE A - ACTIVITY****Prevent and /or minimise likelihood of environmental harm**

- (A1) 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.

Site based management plan

- (A2) 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.

The site based management plan must address the following matters:

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

Records

- (A3) 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.

Dredging

- (A4) Extraction of material at the licensed place must only be carried out in the area of Sandy Creek adjacent to Lot 1 on RP25279, Lot 195 C31911 and Lot 4 CP855301 being in Parish of Kilcoy County of Canning, in black in the area depicted on Blinmap 8444-33214 that forms part of Development Permit 182033 issued by the Department of Natural Resources and Mines under the *Water Act 2000*.

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- (A5) Extraction of material and associated operations must not cause any erosion of the bed or banks of any watercourse or damage vegetation growing in or on the bed or banks of such watercourse.
- (A6) Removal of material adjacent to the bank of any watercourse must be maintained by a batter not steeper than a slope of one (1) vertical on two (2) horizontal.
- (A7) The surface of the area of operation and the bed of the watercourse must be kept at an even longitudinal grade, smooth and free from holes and ridges.
- (A8) Any storage of excavated material must be above the expected flood level.
- (A9) Sand, gravel, clay or rock bars or riffle areas that create natural pools in the bed of the watercourse must not be lowered or disturbed.

END OF CONDITIONS FOR SCHEDULE A

SCHEDULE B – AIR

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 at any odour sensitive place.

Dust nuisance

- (B2) The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.
- (B3) 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.
- (B4) 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.

END OF CONDITIONS FOR SCHEDULE B

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SCHEDULE C - WATER

- (C1) There must be no release of petroleum products to any waters from any vessel used in the dredging operations or during any refuelling of the dredge.
- (C2) The maintenance and cleaning of vehicles and any other earthmoving equipment must be carried out in areas where contaminants cannot be released into any waters, roadside gutter or stormwater drainage system.
- (C3) 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.
- (C4) All above ground chemical and fuel tank storage must be bunded so that the capacity of the bund is sufficient to contain at least 100% of the largest storage tank plus 10% of the second largest tank within the bund.
- (C5) All bunding must be constructed of materials which are impervious to the materials stored.
- (C6) The base and walls of all bunded areas must be maintained free from gaps or cracks.
- (C7) All bunded areas must be roofed where practicable.
- (C8) Where it is not practicable to completely roof a bunded area the holder of this environmental authority must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to release to waters or any stormwater drain.
- (C9) All empty drums must be stored with their closures in place.

END OF CONDITIONS FOR SCHEDULE C

SCHEDULE D – NOISE AND VIBRATION

Noise nuisance

- (D1) All noise from activities must not exceed the levels specified in **Schedule D - Table 1** at any noise affected premises.

Schedule D - 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 _{A10} , adj, 10 mins	50	45	40	50	45	40
L _{A1} , adj, 10 mins	55	50	45	55	50	45
Noise measured at a 'Commercial place'						
L _{A10} , adj, 10 mins	55	50	45	55	50	45
L _{A1} , adj, 10 mins	60	55	50	60	55	50

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Noise monitoring

- (D2) 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.

- (D3) 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

- (E1) There are no conditions prescribed for this Schedule.

END OF CONDITIONS FOR SCHEDULE E

SCHEDULE F – LAND

- (F1) The environmentally relevant activity must be carried out by such practicable means necessary to prevent the release or likelihood of release of contaminants to land which may cause such land to become contaminated land.

END OF CONDITIONS FOR SCHEDULE F

SCHEDULE G - COMMUNITY

- (G1) 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.
- (G2) 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 industrial estate where the site is located.

END OF CONDITIONS FOR SCHEDULE G

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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

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- 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, 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.

"**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

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"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

END OF DEVELOPMENT APPROVAL

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