Registration certificate

No: ENRE04163012

This registration certificate is issued by the administering authority and takes effect from: 31 JULY 2012.

The anniversary day for the purposes of the Annual Return is: 31 JULY.

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

Registered Operator:-
Maxam Australia Pty Ltd
141 Boundary Road
OXLEY QLD 4075

Development Approval Number:-
SPCE01850611

Place:-
Lot 1 Plan SP167885, Lot 229 Plan CH3132

Registered Activity: -
ERA 8 Chemical storage Threshold 4 - storing 200t or more of chemicals that are solids or gases, in containers of at least 10m3, other than chemicals mentioned in items 1 to 3,

Derek Robson
Delegate
Department of Environment and Heritage Protection
Environmental Protection Act 1994
01 AUGUST 2012

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

Department of Environment
and Resource Management

Sustainable Planning Act 2009

DERM Permit [1] number: SPCE01850611

Assessment manager reference:	7458/2010/MCU
Date application received:	3 May 2011
Permit type:	Concurrence agency response
Date of decision:	25 November 2011
Decision:	The application is approved subject to conditions and any concurrence agency conditions are attached to this permit.
Relevant laws and policies:	*Environmental Protection Act 1994* *Environmental Protection Regulation 2008* *Environmental Protection (Air) Policy 2008* *Environmental Protection (Noise) Policy 2008* *Environmental Protection (Waste Management) Policy 2000* *Environmental Protection (Waste Management) Regulation 2000* *Environmental Protection (Water) Policy 2009* *Sustainable Planning Act 2009* *Sustainable Planning Regulation 2009*
Jurisdiction(s):	Material change of use - Environmentally relevant activities *Sustainable Planning Regulation 2009* Schedule 7,Table 2, Item 1

Development Description(s)

Property/Location		Development
352-393 Coopers Road, EBENEZER QLD 4340	Lot 229 on Plan CH3132 and Lot 1 on Plan SP167885	ERA 8 (4) Chemical storage - storing 200t or more of chemicals that are solids or gases, other than chemicals mentioned in items 1 to 3, under subsection (1)(d).

Reason for inclusion of conditions

In accordance with section 289 of the *Sustainable Planning Act 2009*, the reason(s) for inclusion of conditions stated in this permit required by the concurrence agency response for the application are as follows.

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

The conditions that have been imposed by this development permit are —

- considered by the administering authority to be necessary and desirable to ensure the protection of the environment and prevent environmental harm from occurring as a result of the activity; and
- required to be included by the administering authority by regulatory requirement; and
- the conditions will also require:
  - stated plant or equipment to be installed and operated in a stated way within a stated period;

[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.

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- stated measures be taken to minimise the likelihood of environmental harm being caused;
- carrying out and reporting on a stated monitoring program;
- the giving of relevant information reasonably required by the administering authority for the administration or enforcement of this Act;
- prohibit the changing, replacing or operating of any plant or equipment associated with the activity if the change, replacement or operation increases, or is likely to substantially increase, the risk of environmental harm.

This development permit has been drafted so that the conditions —

- are relevant to, but not an unreasonable imposition, on the development; or
- are reasonably required in relation to the development.

John Rice
Delegate of the Chief Executive administering the
Environmental Protection Act 1994
Department of Environment and Resource Management
25 November 2011

CONDITIONS

This approval consists of the following schedules —
Schedule A: General
Schedule B: Air
Schedule C: Land
Schedule D: Noise
Schedule E: Water
Schedule F: Waste
Schedule G: Definitions

CONDITIONS

SCHEDULE A - GENERAL

A1 **Prevent or minimise likelihood of environmental harm**
In carrying out the activity to which this approval relates, all reasonable and practicable measures must be taken to prevent or to minimise the likelihood of environmental harm being caused.

A2 **Maintenance of plant and equipment**
Any person undertaking an activity to which this approval relates must —
(a) install and operate all plant and equipment necessary to ensure compliance with the conditions of this approval;
(b) maintain all plant and equipment in a proper and efficient condition; and
(c) operate plant and equipment in a proper and efficient manner.

A3 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.

A4 **Site Based Management Plan**
A site based management plan (SBMP) must be developed and implemented within 6 months of this approval being issued. 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 activities that are carried out.

As a minimum, the SBMP must address the following matters —
(a) environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals;
(b) identification of environmental issues and potential impacts;
(c) control measures for routine operations to minimise likelihood of environmental harm;
(d) contingency plans and emergency procedures for non-routine situations;
(e) organisational structure and responsibility;
(f) effective communication;
(g) monitoring of contaminant releases;
(h) conducting environmental impact assessments;
(i) staff training;
(j) record keeping; and
(k) periodic review of environmental performance and continual improvement.

A5 The contingency plans and emergency procedures required to be included in the SBMP under condition **A4(d)** must address the following measures —
(a) the location of any overflow structures;
(b) response procedures to prevent any further release, or if not practical, to minimise the extent and duration of any release;
(c) the practices and procedures to be employed to address any contaminants that have been released, or if not practicable, measures that will be employed to mitigate any further environmental impacts of the release (these actions must also take into account wet and dry weather conditions);
(d) a description of the resources that will be available in the event of a release;
(e) ensuring that these resources will be available and operational in the event of a release;
(f) training of any persons that may be called upon to respond to any such incident;
(g) procedures to investigate the cause of any release;
(h) remedial procedures that will be put in place to address any environmental harm that may have occurred as the result of any release;

(i) the provision of documented procedures to staff likely to attend any release that will allow them to respond accordingly; and
(j) timely and accurate reporting of the circumstances and nature of release events to the administering authority.

A6 The SBMP must not be implemented or amended in a way that contravenes any condition of this approval.

A7 The person undertaking the activity to which this approval relates must keep a copy of the most recent version of the SBMP at the approved place.

A8 **Notification of environmental incidents**
The person undertaking the activity to which this approval relates must notify the administering authority as soon as they become aware that one or more of the following events has occurred (unless such notification has been made under section 320 (Duty to notify environmental harm) of the *Environmental Protection Act 1994*), and keep a record of such notification taking place —
(a) of any discharge event to land, air or waters arising from the activity to which this approval relates;
(b) any fire, explosion, accident or catastrophic failure in any chemical storage area resulting in a release of contaminants to land, waters or air (even if the contamination is contained within the approved place); and
(c) any act of malicious damage to associated infrastructure that may result in failure in one or more systems at the site or may cause a release of contaminants contrary to the release limits specified in this approval.

A9 The person undertaking the activity to which this approval relates must give or send written notice detailing the following information to the administering authority within fourteen (14) days of any advice provided in accordance with condition A8 —
(a) the name of the operator including the approval / registration number;
(b) the name and telephone number of a designated contact person;
(c) any uncontrolled release of contaminants, including an estimate of the volume of contaminants released in the event;
(d) details and registration of any vehicles involved;
(e) person(s) involved (i.e. driver and any others);
(f) the location and time of the release;
(g) the duration of the release;
(h) the suspected cause of the release;
(i) a description of the effects of the release;
(j) the results of any sampling performed in relation to the release;
(k) actions taken to mitigate any environmental harm caused by the release; and
(l) proposed actions to prevent a recurrence of the release.

A10 **Complaints register**
The person undertaking the activity to which this approval relates must record the following details for all complaints received and provide this information to the administering authority or an authorised person 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.

A11 **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 in accordance with manufacturer's instructions.

A12 **Monitoring and Reporting**
All monitoring, inspections and testing required by this development approval must be performed by a person(s) with appropriate experience or qualifications.

A13 **Records**
If a condition of this approval requires the person undertaking the activity to which this approval relates to make or keep a record (however described), or prepare a document[2], the person must do all of the following —

(a) keep the record or document at the approved place;
(b) keep the record or document in a place that is accessible by all persons engaged in the activity;
(c) produce the record or document for inspection by an authorised person or the administering authority for inspection if requested;
(d) for each document or record made or created in response to a monitoring requirement, reporting requirement, investigation or incident — keep the record for a minimum of five (5) years from the date the document is made or created; and
(e) if a copy of the document is sent to the administering authority — keep a copy of the document.

A14 **Management of Spills**
Any spillage of chemicals must be cleaned up as soon as practicable after the spillage event.

A15 An appropriate spill kit, protective equipment and relevant operator instructions and emergency procedure guidelines for the management of chemicals associated with the activity to which this approval relates must be available to employees on site at all times.

A16 Any person engaging in the activity to which this approval relates must be trained in the use of the spill kit and the emergency guidelines.

END OF CONDITIONS FOR SCHEDULE A

SCHEDULE B - AIR

B1 **Dust Nuisance**
The release of dust or particulate matter resulting from the activity to which this approval relates must not cause, or be likely to cause, an environmental nuisance at or beyond the boundary of the approved place.

B2 Subject to condition B3, the dust deposition rate and concentration of PM_{10} and $PM_{2.5}$ must not, during building work associated with the activity to which this approval relates, exceed the limits specified in Table 1 for the contaminant when measured from a nuisance sensitive or commercial place in accordance with the measurement specified in the table.

Contaminant	Measure	Limit	Measurement method
Dust	Deposition rate	120 $mg/m^2/day$	Australian Standard AS3580.10.1 of 2003 (or more recent editions)
PM_{10}	Concentration	50$\mu g/m^3$ averaged over 24 hours	Either of the following: (a) AS3580.9.6 of 2003 (or more recent editions); or (b) AS3580.9.7 of 2009 (or more recent editions)
$PM_{2.5}$	Concentration	25 $\mu g/m^3$ averaged over 24 hours	Either of the following: (a) AS3580.9.10 of 2006 (or more recent editions); or (b) AS3580.9.7 of 2009 (or more recent editions)

[2] Unless a condition of this approval requires a document to be made or kept in a specific format (e.g. in hardcopy), the *Electronic Transactions (Queensland) Act 2001* applies to the document.

Note:

- Australian Standard AS3580.9.6 of 2003 (or more recent editions) Ambient Air – Particulate matter – Determination of suspended particulate matter PM_{10} high volume sampler with size selective inlet – Gravimetric method
- Australian Standard AS3580.9.10 of 2006 (or more recent editions) Ambient Air – Particulate matter – Determination of suspended particulate matter $PM_{2.5}$ low-volume sampler – Gravimetric method.
- Australian Standard AS3580.9.7 of 2009 (or more recent editions) Ambient Air – Particulate matter – Determination of suspended particulate matter – Dichotomous sampler (PM_{10} and $PM_{2.5}$) – Gravimetric method.

B3 If the Air Quality Sampling Manual (however described), published by the Queensland Government from time to time for the purpose of measuring or monitoring compliance with the *Environmental Protection Act 1994* specifies an alternate an alternate sampling protocol for PM_{10} and $PM_{2.5}$ – the concentration of the contaminant for the purposes of compliance with condition B2 may be determined using that protocol.

B4 Despite condition A2, the person undertaking the activity to which this approval relates is required to install equipment to measure the dust deposition rate or the concentration of particulate matter (PM_{10} and $PM_{2.5}$) for condition B2 only if directed to in writing by the administering authority or an authorised person to undertake monitoring for those contaminants.

B5 **Odour**
The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity to which this approval relates must not cause, or be likely to cause, a nuisance at or beyond the boundary of the approved place.

B6 **Monitoring obligations in respect to odour**
The person undertaking the activity to which this approval relates must, if directed in writing by the administering authority, undertake or commission the undertaking of odour monitoring for contaminants released from the approved place at the site and other locations relevant to ascertaining the odour at affected premises.

B7 **Investigation of odour complaints**
The person undertaking the activity to which this approval relates must investigate, or commission the investigation of any complaints of nuisance caused by noxious or offensive odours.

B8 **Reasonable adjustment of practices, procedures or infrastructure for resolving nuisance complaints**
If odour monitoring determines that the complaints are validated, the person undertaking this activity must make reasonable adjustments to processes or equipment to prevent a recurrence of odour nuisance.

END OF CONDITIONS FOR SCHEDULE B

SCHEDULE C - LAND

C1 **Prevent release of contaminants to land**
A person must not cause or permit the release of contaminants to land.

C2 **Dry storage of Ammonium nitrate**
The person undertaking the activity to which this approval relates must ensure that all bulk dry Ammonium nitrate stored at the site is stored within a roofed enclosure and is kept within flexible intermediate bulk containers until the material is ready to be loaded into the hopper and into a vehicle.

C3 The person undertaking the activity to which this approval relates must ensure that all Ammonium nitrate products stored within the bulk Ammonium nitrate storage areas are contained within bulka bags that comply with the requirements of the current edition of the Australian Dangerous Goods Code.

C4 **Storage of UN No. 3375 – Ammonium Nitrate Emulsions, Suspensions and Gels**
The person undertaking the activity to which this approval relates must ensure that UN No. 3375 – Ammonium Nitrate Emulsions, Suspensions and Gels are stored within the designated isotanks.

C5 **Cleanup of Ammonium nitrate spillage**
The person undertaking the activity to which this approval relates must ensure that any spillage of Ammonium nitrate or compounds containing Ammonium nitrate is cleaned up immediately after the spillage is detected.

C6 **Alarm/kill switch on loading equipment**
All pumping or loading equipment used to transfer Ammonium nitrate between vessels must be fitted with an alarm or kill switch device that, if triggered, will cause the un/loading of material to stop immediately, minimising spillage.

C7 Any automatic alarm or kill switch devices referred to in condition C6 must have a manual over-ride mechanism which can be triggered in the event of alarm failure.

C8 **Transfer of Ammonium nitrate into storage tanks or vehicles**
All activities related to the loading of Ammonium nitrate must be conducted in accordance with the current edition of the Australian Dangerous Goods Code.

C9 Loading/unloading of Ammonium nitrate must be supervised at all times, ensuring the operator maintains a direct line of sight with the inlet of the vehicle or tank being loaded.

C10 In the event of a spill or overtopping of the vessel being loaded the operator must immediately shut down loading operations and clean up any spilt material.

C11 **Material transfer infrastructure**
All pipe work for the transfer of chemicals or waste materials must be —
(a) maintained in a manner that prevents deterioration of the structural integrity of the pipe work;
(b) routinely inspected for cracks and leaks in the pipe work;
(c) protected from collision by on-site vehicle movements; and
(d) be clearly marked indicating the direction of flow and description of the product being transferred.

C12 Any pipe work passing through the wall of a bund must be sealed at the point which it passes through the wall to prevent leakage from the compound and must not cause any structural instability.

C13 **Chemical storage**
The person undertaking the activity to which this approval relates must ensure all chemicals stored at the approved place, with the exception of the Ammonium nitrate in its various forms, are stored within an area that is bunded or has some other form of containment.

C14 The person undertaking the activity to which this approval relates must ensure that all containment areas are –
(a) of a type and design sufficient to contain at least 110% of the volume of the largest container within the containment area;
(b) constructed of materials that are impervious to the materials that will be stored within the bund;
(c) constructed in such a way as to facilitate that retention and removal of material from within the containment area (i.e. the area is graded towards a sump);
(d) maintained and managed in a way that ensures all of the following -
  (i) the capacity of the containment area is not compromised by the entrapment of water (i.e. stormwater);
  (ii) materials or equipment are not stored within the bunded areas;
  (iii) all drains or valves servicing the containment area are protected from accidental damage;
  (iv) all drains or valves are closed and locked off at all times when not being used to empty the containment area; and

(v) the containment area is maintained in a serviceable condition and is not compromised by any gap, crack or other similar damage.

C15 Discharge of stormwater from containment areas
Any stormwater captured within any bund must be free of contaminants prior to being discharged.

END OF CONDITIONS FOR SCHEDULE C

SCHEDULE D - NOISE

D1 Noise Nuisance
Noise from the activity to which this approval relates must not cause or be likely to cause an environmental nuisance at or beyond the boundary of the approved place.

D2 The person undertaking the activity to which this approval relates must not cause or permit any activity on the site that would result in an audible noise outside the hours specified in Condition D3, Table 1 – Noise Limits.

D3 The emission of noise from the approved place must not result in levels greater than those specified in Table 1 – Noise Limits when measured at the place, and using the acoustic descriptors, described in the table.

Table 1 - Noise Limits

Noise level dB(A) measured as	Monday to Friday 6am-6pm
Noise measured at a 'Noise sensitive place'	
$L_{A10, adj, 10 mins}$	Bkg + 5
$L_{A1, adj, 10 mins}$	Bkg + 10
Noise measured at a 'Commercial place'	
$L_{A10, adj, 10 mins}$	Bkg + 10
$L_{A1, adj, 10 mins}$	Bkg + 15

Note: Bkg means background noise level.

D4 Noise Monitoring
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) Background noise level;
(b) $L_{A10, adj, 10 mins}$;
(c) $L_{A1, adj, 10 mins}$;
(d) L_{Aeq};
(e) the level and frequency of occurrence of impulsive or tonal noise;
(f) atmospheric conditions including wind speed and direction;
(g) effects due to extraneous factors such as traffic noise;
(h) location, date and time of recording; and
(i) details of measurement instrumentation and measurement procedure.

D5 The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's Noise Measurement Manual.

D6 The person undertaking the activity to which this approval relates is required to undertake noise monitoring as described by condition D4 only if directed by the administering authority.

END OF CONDITIONS FOR SCHEDULE D

SCHEDULE E - WATER

E1 Maintenance and cleaning of vehicles, plant or equipment

The person undertaking the activity to which this approval relates must not cause or permit the maintenance and cleaning of vehicles and any other equipment or plant to be carried out in areas where contaminants may be released to waters.

E2 Release of contaminants to waters

Contaminants must not be directly or indirectly released to any waters, including groundwater, or the bed or banks of any waters.

E3 Stormwater Management

There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.

E4 Stormwater diversion

Suitable structures (i.e. diversion drains) must be installed and maintained to exclude stormwater from entering any structures used for the storage of hazardous products and waste storage.

E5 Stormwater management plan

The person undertaking the activity to which this approval relates must develop and implement a stormwater management plan, within 6 months of this approval taking effect, which addresses the following —

(a) prevention of incident stormwater and stormwater runoff from contacting wastes or contaminants;
(b) separation of uncontaminated and potentially contaminated areas at the site;
(c) diversion of upstream runoff away from areas containing wastes or contaminants;
(d) minimisation of the size of contaminated areas;
(e) cleaning of contaminated areas without water;
(f) paving and roofing of storage areas;
(g) reporting of results from the monitoring of potentially contaminated stormwater releases and any assessment of the impact of the releases on the receiving environment to the administering authority;
(h) site plan detailing all stormwater catchments, collection drains, holding dams and disposal points;
(i) contingency plans and emergency procedures for routine and non-routine situations; and
(j) holding capacities of dams and predicted volume and flow rate for routine and non-routine situations.

E6 Environmental monitoring and sampling following release event

If contaminants are released to waters as a result of an event, the person undertaking the activity to which this approval relates must, if directed by the administering authority or an authorised person, do all of the following —

(a) take environmental samples to ascertain or confirm the nature and extent of contamination arising from the release;
(b) lodge such samples with a laboratory for analysis using a NATA-accredited methodology relevant to the analysis that must be performed;
(c) give or send a copy of the results of such analysis to the administering authority with the report submitted to the administering authority under condition A9.

END OF CONDITIONS FOR SCHEDULE E

SCHEDULE F – WASTE

Storage and Handling Waste

F1 Drums, containers, and bulk units containing regulated waste or processed materials must be sealed to prevent loss of contents or exposure of the contents to the atmosphere.

F2 Each container of regulated waste stored or awaiting movement off-site must be marked to identify clearly identify its contents.

END OF CONDITIONS FOR SCHEDULE F

SCHEDULE G – DEFINITIONS

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

"approved place" means the site situated on Lease Z ON SP227178, located at 352-392 Coopers Road, EBENEEZER, QLD 4340 (Parish of Jeebropilly, County of Churchill).

"background noise" means $L_{A90,\,T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period not less than 15 minutes, using Fast response.

"commercial place" means a place, other than a nuisance sensitive place, used as an office or for business or commercial purposes including the place within the curtilage of that place reasonably used by persons at that place.

"$L_{A10,\,10min}$" means an A-weighted sound pressure level equal to or exceeded for 10% of a 10 minute sample period, measured using fast ("F") response.

"$L_{A10,\,adj,\,10min}$" means an A-weighted sound pressure level equal to or exceeded for 10% of a 10 minute sample period, measured using fast ("F") response, and adjusted for impulsiveness and tonality.

"$L_{Aeq,adj,1hr}$" means an A-weighted sound pressure level of a continuous steady sound, adjusted for tonal character, that within a 1 hour period has the same mean square sound pressure of a sound that varies with time.

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

"nuisance sensitive place" means a place (including the cartilage of that place reasonably used by person at that place) that is one or more of the following —

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
- a public thoroughfare, park or gardens.

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

"$PM_{2.5}$" means particulate matter with an aerodynamic diameter of less than or equal to 2.5µm ($PM_{2.5}$).

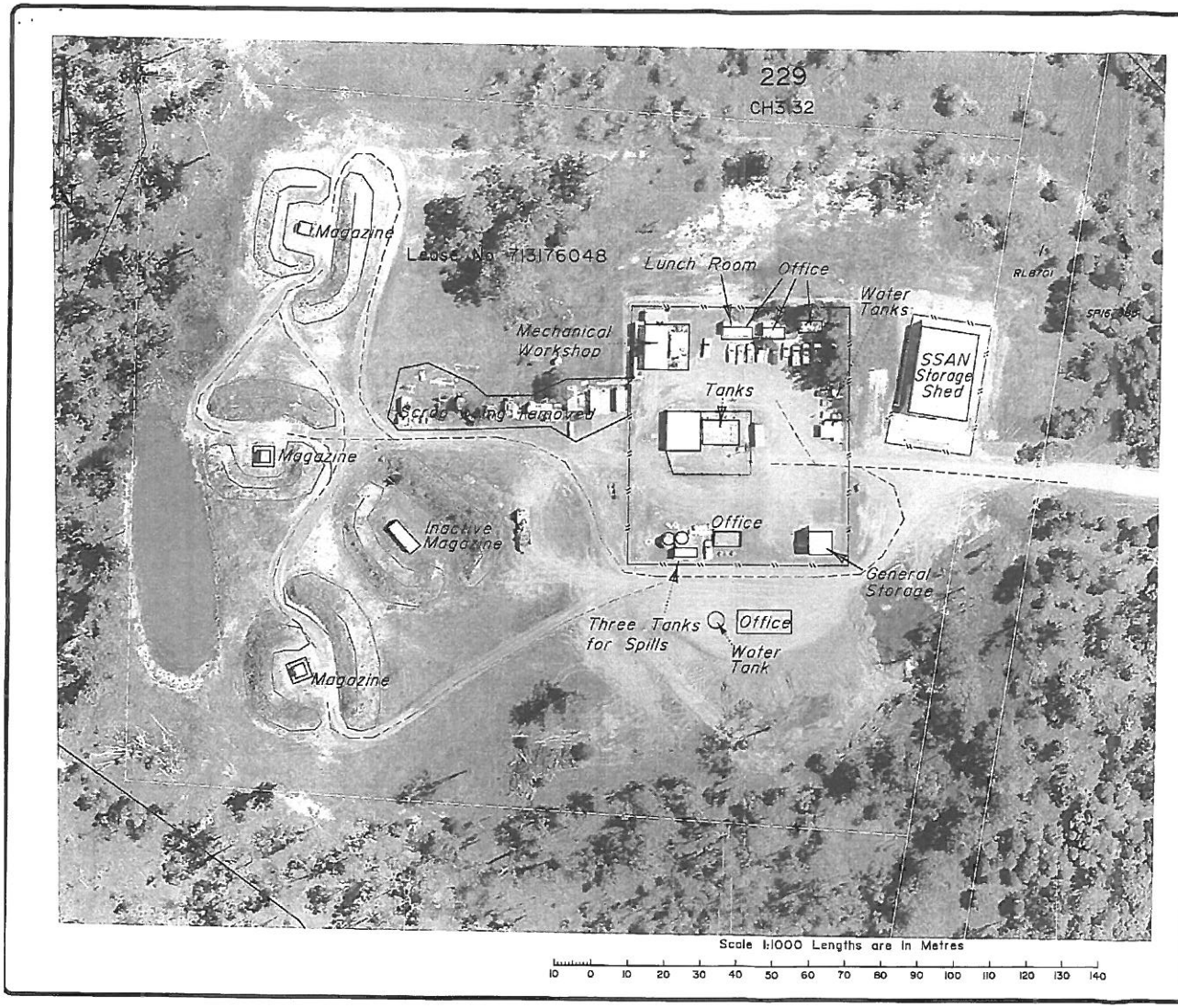
"PM_{10}" means particulate matter with an aerodynamic diameter of less than 10µm or equal to (PM_{10}).

"waters" includes any 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.

END OF CONDITIONS FOR SCHEDULE G

END OF CONDITIONS



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PARISH: *JEEBROPILLY*
COUNTY:

field book:	level book:
vertical datum	horizontal datum
vertical origin	horizontal origin

drawn
surveyed
checked

E			
D			
C			
B			
A	7/6/11	GJF	Amend Layout

revisions

scale: 1:1000 A3

reference no: 14142-2 amdt: A