Department of Environment and Resource Management

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE00945909

This registration certificate is issued by the administering authority and takes effect from: 25-AUG-2011.

The anniversary day for the purposes of the Annual Return is 7 July.

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 places; subject to the conditions set out in development approval IPDE01468909 attached to the premises.

Registered Operator:-
QR Limited
T/A QR National
Railcentre 1, Level 14
305 Edward Street, BRISBANE QLD 4000

Place:-
Lot 100 Plan SP112704, Lot 101 Plan SP108584, Lot 120 Plan SP112705, Lot 7 Plan SP222452, Lot 8 Plan RP741153, Lot 8 Plan SP222452
Located at:-
Jilalan Rail Yards, SARINA QLD 4737
Registered Activities:-
ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles
ERA 63 Sewage treatment Threshold 2(b) - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of more than 100 to 1500EP (ii) otherwise (Note: not to an infiltration trench or through an irrigation scheme)
ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

Delegate
Linda Gorman
Department of Environment and Resource Management
Environmental Protection Act 1994

25-AUG-2011

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

Queensland Government

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Section 3.5.15 *Integrated Planning Act 1997*

DERM Permit[1] number: IPDE01468909

DERM Permit[1] number:	IPDE01468909
Assessment Manager reference:	225232
Date application received by DERM:	28-APR-2009
Permit[1] Type:	Development Approval for a MCU involving an ERA
Date of Decision:	04-AUG-2009
Decision:	Granted in full with conditions
Relevant Laws and Policies:	*Environmental Protection Act 1994* and any subordinate legislation

Development Description

Property	Lot/Plan	Aspect of Development
Jilalan Rail Yards, SARINA QLD 4737	Lot 100 Plan SP112704 Lot 101 Plan SP108584 Lot 120 Plan SP112705 Lot 7 Plan SP222452 Lot 8 Plan RP741153 Lot 8 Plan SP222452	**ERA 21 Motor vehicle workshop operation** - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles. **ERA 63 Sewage treatment Threshold 2(b)** - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of more than 100 to 1500EP. **ERA 8 Chemical storage Threshold 3(a)** - storing 10m^3 to 500m^3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3.

[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 and the Queensland Parks and Wildlife Service

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Additional comments or advice about the application

This development approval relates to the Jilalan Rail Yard Upgrade Project that was subject to an Environmental Impact Statement (EIS) triggered under the *State Development and Public Works Organisation Act 1971.* The conditions of the approval include those recommended in the Coordinator-General's Report issued in March 2008 as well as amended conditions relating to treatment and management of sewage effluent across the project site as discussed in Section 6.8 of the report.

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 permit[1]. For information on when this permit[1] 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 3 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.

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.*

Clancy Ahern
Manager (Mackay)
Central West Region
Delegate
Department of Environment and Resource Managment

Date: 4 August 2009

CONDITIONS OF APPROVAL

ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles

ERA 63 Sewage treatment Threshold 2(b) - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of more than 100 to 1500EP

ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

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 **Maintenance of Measures, Plant and Equipment.**
The operator of an ERA to which this approval relates must:
(a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and
(b) maintain such measures, plant and equipment in a proper and efficient condition; and
(c) operate such measures, plant and equipment in a proper and efficient manner.

G3 **Site Based Management Plan.**
From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not 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 ERAs that are carried out.

The SBMP must address the following matters:

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

G4 The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.

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G5 **Records.**
Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.

G6 All records required by this approval must be kept for 5 years.

G7 **Notification.**
Telephone the DERM's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.

G8 **Information about Spills.**
A written notice detailing the following information must be provided to the administering authority within 14 days of any advice provided in accordance with condition [G7]:

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

G9 **Monitoring.**
A competent person(s) must conduct any monitoring required by this approval.

G10 **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.

G11 **Trained / Experienced Operator(s).**
The daily operation of the wastewater treatment system and pollution control equipment must be carried out by a person(s) with appropriate experience and/or qualifications to ensure the effective operation of that treatment system and control equipment.

G12 **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.

G13 **Spill Kit Training.**
Anyone operating under this approval must be trained in the use of the spill kit.

G14 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.

G15 **Display of development approval.**
A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

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G16 Annual Monitoring Report

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

a) A summary of the previous 12 months monitoring results obtained under any monitoring programs required under this approval and, in graphical form showing relevant limits, a comparison of the previous 12 months monitoring results to both this approvals limits and to relevant prior results;
b) An evaluation/explanation of the data from any monitoring programs;
c) A summary of any record of quantities of releases required to be kept under this approval;
d) A summary of the record of equipment failures or events recorded for any site under this approval;
e) An outline of actions taken or proposed to minimise the environmental risk from any deficiency identified by the monitoring or recording programs.

Agency Interest – Air

A1 Dust Nuisance.

The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.

A2 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 square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions); OR
b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored 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
   - 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.

A3 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:

a) for a complaint alleging dust nuisance, dust deposition; 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 micrometre (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.

A4 Odour Nuisance

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 nuisance sensitive or commercial place in the opinion of an authorised officer.

Agency Interest – Noise

N1 **Noise Nuisance.**

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

N2 The emission of noise from rolling stock in the carrying out of the ERA must not exceed the planning levels specified in the Code of Practice - Railway Noise Management, November 2007.

Agency Interest – Water

W1 Contaminants must only be released to surface waters in compliance with the release limits listed in Table 1 - Contaminant release limits to water and the following discharge locations defined below.

a) Discharge Location C1 - namely release of treated effluent from the pollution treatment plant located on Lot 101 SP108584 to waters described as, unnamed tributary of Elizabeth Creek at a location described as, adjacent to the western side of the existing Jilalan Railway Yard.

b) Discharge Location C2 - namely release of treated effluent from the sewage treatment plant located on Lot 101 SP108584 to waters described as, unnamed tributary of Elizabeth Creek at a location described as, adjacent to the western side of the existing Jilalan Railway Yard.

Table 1 - Contaminant release limits to water

Monitoring Point & Discharge Location	Quality characteristic	Release limit		
		Minimum	Maximum	Monitoring frequency
C1 - Outlet from PTP*	5-day Biological Oxygen Demand		20mg/L	Monthly
C1 - Outlet from PTP	Total Suspended Solids		30mg/L	Monthly
C1 - Outlet from PTP	pH	6.5	8.5	Monthly
C1 - Outlet from PTP	Dissolved Oxygen	2mg/L		Monthly
C1 - Outlet from PTP	Anionic Sufactants		1.0mg/L	Monthly
C1 - Outlet from PTP	Oil & grease		10mg/L	Monthly
C1 - Outlet from PTP	Total Copper		0.1mg/L	Monthly
C2 - Outlet from STP*	5-day Biological Oxygen Demand		20mg/L	Monthly
C2 - Outlet from STP	Total Suspended Solids		30mg/L	Monthly
C2 - Outlet from STP	Total Nitrogen		30mg/L	Monthly
C2 - Outlet from STP	Total Phosphorus		15mg/L	Monthly
C2 - Outlet from STP	E.*Coli*		100cfu/100ml	Monthly
C2 - Outlet from STP	pH	6.5	8.5	Monthly
C2- Outlet from STP	Dissolved Oxygen	2mg/L		Monthly

PTP* = Pollution Treatment Plant
STP* = Sewage Treatment Plant

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W2 **Monitoring.**
Monitoring must be undertaken and records kept of contaminant releases to waters from the discharge location for the quality characteristics and not less frequently than specified in Table 1 - Contaminant release limits to water. All determinations of the quality of contaminants released must be:

a) made in accordance with methods prescribed in the latest edition of the Department's Water Quality Sampling Manual; and
b) carried out on samples that are representative of the discharge.

W3 The daily volume of contaminants released to waters must be determined or estimated by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.

W4 The total quantity of contaminants released from the release points during any day must not exceed at C1, 60 cubic meters and C2, 33 cubic meters.

W5 **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.

W6 As part of the Site Based Management Plan required by condition **G3**, from commencement of the activity, a Stormwater Management Plan must be implemented at the site to which this development approval relates and which provides for the following functions:

a) avoidance and minimisation of contaminated stormwater; and
b) reuse, treatment and disposal of contaminated stormwater.

W7 Washing, degreasing, servicing or other maintenance of vehicles, plant or other equipment must not occur in an area where contaminants will or may be released to any stormwater drainage system, roadside gutter or waters.

W8 Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Spillages must not be cleaned up by hosing, sweeping or otherwise, which results in releasing such waters, contaminants or material where these may enter a stormwater drainage system, roadside gutter or waters.

Agency Interest - Waste

WA1 **Waste Management Program**

As part of the Site Based Management Plan required by condition **G3**, from the commencement of the activity, a Waste Management Program must be implemented for the site to which this development approval relates. The Waste Management Program must address at least the following matters:

a) the types and amounts of waste generated by the activity;
b) how the waste will be dealt with, including a description of the types and amounts of waste that will be dealt with under each of the waste management practices mentioned in the waste management hierarchy (section 10 of the *Environmental Protection (Waste Management) Policy 2000*);
c) procedures for identifying and implementing opportunities to improve the waste management practices employed;
d) procedures for dealing with accidents, spills and other incidents that may impact on the waste management;
e) how often the performance of the waste management practices will be assessed (at least annually); and
f) the indicators or other criteria on which the performance of the waste management practices will be assessed.

WA2 **Waste Records.**

Records of regulated waste must be kept detailing the following information:

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

WA3 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.*

WA4 All waste generated from the activity must be disposed of to a facility lawfully able to accept such waste

Agency Interest – Land

L1 **Land Disposal.**

The only contaminants permitted to be released to land via surface irrigation is treated effluent from the sewage treatment plant and pollution treatment plant facilities, located on Lot 8 RP741153 to the areas shown in Attachment 1 Figure 1 *"Jilalan Rail Yard Upgrade Project PTP, STP and Effluent Irrigation Area Plan"* in compliance with the limits levels stated in Table 2 - Contaminant release limits to land and the conditions of this approval.

Table 2 - Contaminant release limits to land

Quality characteristics	Release Limit	
	Minimum	Maximum
5-day Biological Oxygen Demand		20mg/L
Total Suspended Solids		5mg/L
Total Nitrogen		30mg/L
Total Phosphorus		10mg/L
E.Coli		10cfu/100ml
pH	6.0	8.5
Free Residual Chlorine		1mg/L

L2 Conduct and keep records of any monitoring programs of contaminant releases from the treatment plant at the monitoring points, frequency, and for the parameters specified in Table 3 - Monitoring program for releases to land.

L3 Monitoring must be undertaken and records kept of a monitoring program of contaminant releases to the irrigation area at the monitoring points, frequency, and for the parameters specified in Table 3 - Monitoring program for releases to land.

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Table 3 - Monitoring program for releases to land

Monitoring point	Quality characteristics	Units	Frequency
C3 - Effluent Storage Pond prior to distribution to irrigation area located on Lot 8 RP741153	5-day Biological Oxygen Demand	mg/L	monthly
	Total Suspended Solids	mg/L	monthly
	Total Nitrogen	mg/L	monthly
	Total Phosphorus	mg/L	monthly
	E.Coli	cfu/100ml	monthly
	pH	range	monthly
	Free Residual Chlorine	mg/L	monthly

L4 Notwithstanding the quality characteristic limits specified in Table 2 - Contaminant release limits to land, releases of treated effluent must not have any properties nor contain any organisms or other contaminants in concentrations that are capable of causing environmental harm.

L5 The daily volume of contaminants released to land must be determined or estimated by an appropriate method, for example a flow meter and records kept of such determinations and estimates.

L6 A minimum area of 1 hectare of land, excluding any necessary buffer zones, must be utilised for the irrigation of treated effluent/stormwater.

L7 The effluent irrigation area must have a separation distance (buffer) of at least 50m from Elizabeth Creek and 100m from any groundwater bore used for domestic purposes.

L8 When conditions prevent the irrigation of treated effluent to land (such as during or following rain events), the contaminants must be directed to a wet weather storage or alternative measures must be taken to store/lawfully dispose of effluent (such as wet weather storage or tanking off site to another treatment plant or sewer). A record must be kept of any removal or discharge off site, including destination, transporter, dates and volumes.

L9 The irrigation of effluent must be carried out in a manner such that:

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

L10 Notices must be prominently displayed on areas undergoing effluent irrigation, warning the public that the area is irrigated with effluent and not to use or drink the effluent. These notices must be maintained in a visible and legible condition.

L11 Pipelines and fittings associated with the effluent irrigation system must be clearly identified. Lockable valves or removable handles must be fitted to all release pipes situated in public access areas.

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L12 **Irrigation Monitoring Program.**
Implement and maintain an irrigation monitoring program (IMP) for the release of contaminants to land(s). As a minimum, the IMP must include:

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

L13 All ponds used for the storage or treatment of contaminants, sewage or wastes at or on the authorised place must be constructed, installed and maintained:

a) so as to minimise the likelihood of any release of effluent through the bed or banks of the pond to any waters (including ground water);
b) so that a freeboard of not less than 0.5 metres is maintained at all times, except in emergencies; and
c) so as to ensure the stability of the ponds' construction.

L14 Suitable banks and/or diversion drains must be installed and maintained to exclude stormwater runoff from entering any ponds or other structures used for the storage or treatment of contaminants or wastes.

L15 Upon commissioning of the sewage treatment plant, an effluent pond management plan must be implemented, which also includes provision for algal management. The effluent pond management plan must identify all management and monitoring requirements of the effluent pond to ensure that the quality of effluent stored will not cause harm to the environment, nor pose a health risk to users within and adjacent to the effluent distribution area while it is being stored, and when it is being irrigated.

L16 **Pump Stations**

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

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L17 Pollution Treatment Plant Effluent Reuse

All treated effluent reused or recycled at the authorised place from the pollution treatment plant facilities located on Lot 6 RP746880 and identified in Attachment 1 – Figure 1 *"Jilalan Rail Yard Upgrade Project PTP, STP and Effluent Irrigation Area Plan"*, must be in compliance with the quality limits levels stated in Table 4 – Contaminant Release Limits for reuse and the conditions of this approval.

Table 4 – Contaminant Release Limits for Reuse

Monitoring Point	Discharge Locations	Quality characteristics	Release limit		
			Minimum	Maximum	Monitoring frequency
Outlet from Pollution Treatment Plant located on Lot 6 RP746880 to effluent reuse system	C4	5-day Biological Oxygen Demand		20mg/L	Fortnightly (first 6 months) monthly thereafter
		Total Suspended Solids		5mg/L	Fortnightly (first 6 months) monthly thereafter
		Dissolved Oxygen	2mg/L		Weekly
		pH	6.5	8.5	Weekly
		Anionic Surfactant		1.0mg/L	Monthly
		Copper		0.1mg/L	Monthly
		Oil & Grease		10mg/L	Monthly

L18 Monitoring must be undertaken and records kept of a monitoring program of the use of treated effluent at the monitoring point, frequency and for the parameters specified in Table 4 – Contaminant release limits for reuse. All determinations of the quality of contaminants released must be:

a) made in accordance with methods prescribed in the latest edition of the Department's Water Quality Sampling Manual; and

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

L19 The daily volume of contaminants released from the pollution treatment plant for reuse must be determined or estimated by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.

L20 Spillage of all chemicals and fuels must be contained within an on-site containment system 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 – Social

S1 Complaint Response.

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

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

END OF CONDITIONS

DEFINITIONS

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

"administering authority" means the Department of Environment and Resource Management or its successor.

"annual return" means the return required by the annual notice (under section 316 of the *Environment Protection Act 1994*) for the section 73F registration certificate that applies to the development approval.

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

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

"artificial waterway" means an artificial channel, lake or other body of water. Artificial waterway includes –

- an artificial channel that is formed because the land has been reclaimed from tidal water and is intended to allow boating access to allotments on subdivided land;
- other artificial channels subject to the ebb and flow of the tide; and
- any additions or alterations to an artificial waterway.

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

"canal" means an artificial waterway surrendered to the State. A canal is an artificial waterway connected, or intended to be connected, to tidal water; and from which boating access to the tidal water is not hindered by a lock, weir or similar structure.

"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.

"coastal dune" means a ridge or hillock of sand or other material on the coast and built up by the wind.

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

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

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

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

"Department of Environment and Resource Management" means the department or agency (whatever called) administering the *Coastal Protection and Management Act 1995* or the *Environmental Protection Act 1994*.

"erosion prone area" means an area declared to be an erosion prone area under section 70(1) of the *Coastal Protection and Management Act 1995*.

"high water mark" means the ordinary high water mark at spring tides.

"infectious waste" means waste containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.

"intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration –

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.
- In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 – 1997 Acoustics – Description and Measurement of Environmental Noise Part 2 – Application to Specific Situations.

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

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

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

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

"mg/L" means milligrams per litre.

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

"NTU" means nephelometric turbidity units.

"nuisance sensitive place" includes –

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

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

"ponded pasture" means a permanent or periodic pondage of water in which the dominant plant species are pasture species used for grazing or harvesting.

"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.

"quarry material" means material on State coastal land, other than a mineral within the meaning of any Act relating to mining. Material includes for example stone, gravel, sand, rock, clay, mud, silt and soil, unless it is removed from a culvert, stormwater drain or other drainage infrastructure as waste material.

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

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

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

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

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

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

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

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

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

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

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

Attachment 1

Figure 1 - *"Jilalan Rail Yard Upgrade Project PTP, STP and Effluent Irrigation Area Plan"*