

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE04376012

This registration certificate is issued by the administering authority and takes effect from: 19-OCT-2012.

The anniversary day for the purposes of the Annual Return is: 17th OCTOBER.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity listed below at the following places subject to the conditions set out in the relevant code of environmental compliance.

Registered Operator:-

Pearljaney Pty Ltd
T/A PK & BT Bland Rural Enterprises
Lot 5 Bligh Street
MILLMERRAN QLD 4357

Development Approval No:

SPDE04688312

Place:-

No fixed place. The activity is a mobile and temporary activity as defined in Schedule 4 of the Environmental Protection Act 1994.

Registered Activity/ies: -

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



Delegate

Derek Robson
Department of Environment and Heritage Protection
Environmental Protection Act 1994

19-OCT-2012



Notice of Decision Permit¹

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Pearljaney Pty Ltd
T/ A PK & BT Bland Rural Enterprises
Lot 5 Bligh Street,
MILLMERRAN.

Our Reference: 392120

Dear Sir/Madam,

Re: Application for Registration Certificate

Your application for a Registration Certificate received on 17-OCTOBER-2012 has been assessed and the decision is specified below:

Principal Holder	Registered Business Address	Registration Certificate Number	Decision
Pearljaney Pty Ltd	Lot 5 Bligh Street, Millmerran	ENRE04376012	Granted

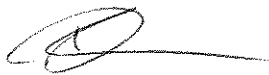
The Registration Certificate remains in force until a surrender of the Registration Certificate is approved pursuant to the *Environmental Protection Act 1994*. The Registration Certificate applies unless an amendment is approved pursuant to the *Environmental Protection Act 1994*.

Submission of an annual return and payment of an annual fee are required from the holder of Registration Certificates for Environmentally Relevant Activities. The annual fee is payable on the first anniversary date of the Registration Certificate.

An annual notice will be issued thirty (30) days prior to your Registration Certificate anniversary date.

If you require more information please contact Nathan Sirl on the telephone number listed below.

Yours sincerely



Delegate:
Derek Robson
Department of Environment and Heritage Protection
19-OCTOBER-2012

Enquiries:

Permit and Licence Management
Implementation and Support Unit
Department of Environment and
Heritage Protection
GPO Box 2454 BRISBANE QLD 4001
Phone: 1300 130 372
Fax: 07 3330 5875
Email: palm@ehp.qld.gov.au

EHP Permit ¹ number: SPDE04688312

Assessment manager reference:	SPDE04688312				
Date application received:	31 August 2012				
Permit type:	Development Permit				
Date of decision:	18 September 2012				
Decision:	The Chief Executive, Department of Environment and Heritage Protection decision notice for the aspect of development involved with the application the subject of this Notice is as follows. Development Approval for a MCU involving an ERA. The application was decided on 18 September 2012 and is approved subject to conditions attached to this Notice, and the conditions are stated to be assessment manager conditions.				
Relevant laws and policies:	<i>Environmental Protection Act 1994</i>				
Jurisdiction(s):					
<table border="1"> <tr> <td>Jurisdiction</td> </tr> <tr> <td>Assessment Manager Response for a MCU involving an ERA.</td> </tr> </table>	Jurisdiction	Assessment Manager Response for a MCU involving an ERA.	<table border="1"> <tr> <td>Legislation</td> </tr> <tr> <td><i>Sustainable Planning Regulation 2009</i> - Schedule 3, Part 1, Table 2, item 1</td> </tr> </table>	Legislation	<i>Sustainable Planning Regulation 2009</i> - Schedule 3, Part 1, Table 2, item 1
Jurisdiction					
Assessment Manager Response for a MCU involving an ERA.					
Legislation					
<i>Sustainable Planning Regulation 2009</i> - Schedule 3, Part 1, Table 2, item 1					

Development Description(s)

Property	Lot/Plan	Aspect of Development
Mobile and temporary throughout the state of Queensland	Not applicable	ERA 16 3(a) screening in a year 5000t to 100000t of material

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Heritage Protection.

Reason(s) for inclusion of conditions

In accordance with section 244 of the *Sustainable Planning Act 2009*, the reason(s) for inclusion of conditions stated in this permit required by the assessment response for the application are as follows.

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

Additional comments or advice about the application

This development approval does not permit the activity to be carried out for more than 28 days in a year at the same location.

A relevant development approval and registration certificate are required to be held before crushing operations may be lawfully carried out for more than 28 days in a year at the same location.

In the event that the crushing plant is used at a location to which a development approval to carry out the environmentally relevant activity of crushing, and there is an inconsistency between the conditions specified herein as to the scale, intensity or manner of carrying out the ERA, the conditions in the development approval attached to the land at which the crushing is being carried out prevail to the extent of the inconsistency.

Additional information for applicants

The standard currency periods stated in section 341 of the *Sustainable Planning Act 2009* or the nominated currency period, apply to each aspect of development in this permit.

Contaminated Land

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

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*.


James Mackenzie

Delegate
Department of Environment and Heritage Protection

CONDITIONS

Agency Interest: General

Prevent and/or minimise environmental harm

- G1 In carrying out the ERA all reasonable and practicable measures must be taken to prevent and/or minimise the likelihood of environmental harm being caused.

Maintenance of Measures, Plant and Equipment

- G2 Plant and equipment must be installed, maintained and operated to ensure compliance with the conditions of this approval.

Commencement of Activity

- G3 If the activity is being conducted on a State Resource, approval must be obtained from the relevant authority to conduct the activity and be supported by one or more of the following:
- (a) Evidence of an allocation of, or an entitlement to, the resource;
 - (b) Evidence the chief executive of the department administering the resource is satisfied the development is consistent with an allocation of, or an entitlement to, the resource;
 - (c) Evidence the chief executive of the department administering the resource is satisfied the development application may proceed in the absence of an allocation of, or an entitlement to, the resource.
- G4 A work diary must be kept to conduct the ERA. The diary must include but not be limited to:
- a) The site/location where the activity was carried out;
 - b) The date in which the activity was carried out;
 - c) The date in which the diary entry was completed;
 - d) Summary of works undertaken.

If activities are carried out at more than one site on the same day then a separate diary entry must be entered into the work diary.

Activity Based Management Plan (ABMP)

- G5 Prior to commencement of the ERA at each new location an ABMP must be developed and implemented. The ABMP must include but not be limited to:
- a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals.
 - (b) Identification of environmental issues and potential impacts including but not limited to stormwater, noise and dust.
 - (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.

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

Notification

- G6 Telephone the Pollution Hotline (1300 130 372) as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
- G7 A written notice must be provided to the administering authority within 7 days of any advice provided in accordance with condition G6 including but not limited to:
- 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.

G8 Monitoring

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

Agency Interest: Air

Dust Nuisance

- A1 The release of dust and/or particulate matter resulting from the ERA must not cause an environmental harm or nuisance at any sensitive receptor.
- A2 Develop and implement measures to minimise the release of wind blown dust or traffic generated dust to the atmosphere.

Dust Monitoring

- 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 in accordance with relevant Australian Standards.

Agency Interest: Noise

Noise Nuisance

- N1 Noise from the ERA must not cause an environmental nuisance at any sensitive receptor.

Noise Monitoring

- N2 When requested by the administering authority, monitoring must be undertaken to investigate a complaint of nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:
- a) LA eq, adj, 1 hour
 - b) the level and frequency of occurrence of impulsive or tonal noise
 - c) atmospheric conditions including wind speed and direction
 - d) effects due to extraneous factors such as traffic noise; and
 - e) location, date and time of recording.

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

Agency Interest: Water

- W1 Banks and/or diversion drains must be installed and maintained to exclude uncontaminated stormwater runoff from entering operational areas.

Agency Interest: Land

- L1 All reasonable and practicable measures must be taken to minimise release of contaminants to land.

Agency Interest: Waste

- WA1 All waste generated in carrying out the activity must be reused, recycled or removed to a facility that can lawfully accept the waste.

Agency Interest: Social

- S1 The following details for all complaints received must be provided 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.
- S2 Where it is determined by an authorised person that the ERA is causing an environmental nuisance at a sensitive receptor, the following actions must be taken:
- a) address the complaint, including the use of appropriate dispute resolution if required; and
 - b) immediately implement adequate abatement measures so that the ERA does not result in further environmental nuisance.

DEFINITIONS

Words and phrases used throughout this permit¹ are defined below. Where a definition for a term used in this permit¹ is sought and the term is not defined within this permit¹ the definitions provided in the relevant legislation shall be used.

"administering authority" means the Department of Environment and Heritage Protection or its successor.

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Sustainable Planning Act 2009*.

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

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

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

"mobile and temporary environmentally relevant activity" means a chapter 4 activity, other than an activity that is dredging material, extracting rock or other material, or the incinerating of waste—

- (a) carried out at various locations using transportable plant or equipment, including a vehicle; and
- (b) that does not result in the building of any permanent structures or any physical change of the landform at the locations (other than minor alterations solely necessary for access and setup including, for example, access ways, footings and temporary storage areas); and
- (c) carried out at any one of the locations—
 - (i) for less than 28 days in a calendar year; or
 - (ii) for 28 or more days in a calendar year only if the activity is necessarily associated with, and is exclusively used in, the construction or demolition phase of a project.

"sensitive receptor" 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.

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

"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.

END OF CONDITIONS