

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE04462712

This registration certificate is issued by the administering authority and takes effect from: 3 December 2012.

The anniversary day for the purposes of the Annual Return remains: 21 November.

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:-

QCYC Holdings Limited
Sinbad Street
SHORNCLIFFE QLD 4017

Development Approval:-

SPDE04641212

Place:-

Lot 426 Plan SP158144, Lot Part 423 Plan SP158144

Located at:-

45A & 69 Allpass Parade, SHORNCLIFFE QLD 4017

Registered Activity:-

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



Shari Murphy
Delegate

Chief Executive administering the *Environmental Protection Act 1994*
Department of Environment and Heritage Protection

03-DEC-2012



Sustainable Planning Act 2009

EHP Permit ¹ number: SPDE04641212

Assessment manager reference (if any):	Project 326436		
Date application received:	21-AUG-2012		
Permit type:	Development permit		
Date of decision:	15-OCT-2012		
Decision:	The application is approved subject to conditions, and the assessment manager's conditions are stated in this permit		
Relevant laws and policies:	<i>Environmental Protection Act 1994</i> and subordinate legislation.		
Jurisdiction(s):	Material change of use of premises – For an environmentally relevant activity	<i>Sustainable Planning Regulation 2009 - Schedule 3, Part 1, Table 2, item 1</i>	EHP ref. no. – 326436 EHP Permit No. SPDE04641212

Development Description(s)

Property/Location		Development
Cabbage Tree Creek boat harbour	Part lot 423 and Lot 426 on SP158144, Allpass Parade, Shorncliffe	A development permit for an MCU for ERA - 16(1)(b) Extractive and screening activities – dredging, in a year, more than 10,000 to 100,000t of material

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



Additional information for applicants

This permit does not remove the need to obtain any further approval for this development which may be required pursuant to this or other legislation, both State and Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

Your attention is drawn to the provision of the *Environmental Protection Act 1994* (EP Act) and the general environmental duty of care (section 319 of the EP Act) not to pollute the environment or create a contaminated site when undertaking works.

It is a requirement of the EP Act that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined under Schedule 3 of the EP Act) is being carried out on this land or that the land has been affected by a hazardous contaminant, they must, within twenty two (22) business days after becoming aware the activity is being carried out, give notice to the Department of Environment and Heritage Protection.

Avoiding or minimising Impacts to marine ecology

In the event of capturing or injuring megafauna (such as birds, turtles, dugongs, sharks, dolphins and whales) during the course of undertaking any activities to, from and at the allocation area:-

- (a) immediately notify the Marine Animal Strandings Hotline by telephoning 1300 264 625, and
- (b) record the incident in the dredging log book with a copy forwarded to the Moreton Bay Marine Park Office within 24 hours of the incident by:
 - (i) post to PO Box 5178, MANLY, QLD, 4179; or
 - (ii) facsimile transmission to (07) 3131 2889 or

email to manly@derm.qld.gov.au.

Reasons for inclusion of development conditions

In accordance with Section 289(1) of the *Sustainable Planning Act 2009* and Section 27B of the *Acts Interpretation Act 1954*, the reasons for the inclusion of development conditions are:

The Department of Environment and Heritage Protection is recognised as Assessment Manager under the *Sustainable Planning Regulation 2009* for a material change of use for environmentally relevant activities. Development conditions placed on the development approval for the application are pursuant to section 73B of the *Environmental Protection Act 1994*.

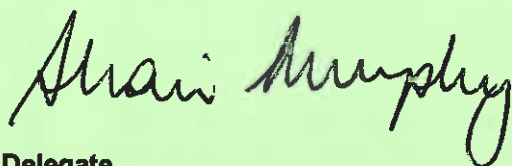
Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which a development approval is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by a development approval as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

A development permits authorising the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the permit specifically authorises environmental harm.

EHP Permit number: SPDE04641212

A person carrying out an ERA must hold a registration certificate issued under the *Environmental Protection Act 1994*, or must be acting under a registration certificate, for the ERA. A registration certificate can be applied for under section 73F of the *Environmental Protection Act 1994*.



Delegate

Shari Murphy

Delegate; Chief Executive administering the *Environmental Protection Act 1994*

Department of Environment and Heritage Protection

15-OCT-2012

CONDITIONS

1. Definition of Dredging Area

This development permit attaches to and authorises Environmentally Relevant Activity (ERA) 16 Extractive and screening activities Threshold 1(a) - dredging, in a year, 1000t to 10000t of material (dredging) maintenance work in the area outlined in red on the approved Survey Plan attached to this permit.

2. Site Based Management Plan (SBMP)

The operator must implement a site based management plan from the commencement of this ERA. The SBMP must identify all causes of environmental harm, including but not limited to the actual and potential release of any contaminants, the nature of the environmental harm and the actions that will be taken to prevent environmental harm being caused. The SBMP must be made available to the Administering Authority when requested.

The SBMP must achieve the following outcomes:

- (a) material intended to be dredged under this permit is tested and analysed in accordance with the latest version of the National Assessment Guidelines for Dredging 2009.
- (b) significant and sensitive receptors (including for example wetland and ecosystem features) in the port area are identified and mapped.
- (c) environmental aspects and potential impacts are identified.
- (d) control measures that minimise the potential for environmental harm are in place.
- (e) contingency plans and emergency procedures are in place.
- (f) organisational structures, accountability and responsibility are recorded.
- (g) arrangements for effective communication are documented and undertaken.
- (h) all contaminant releases are monitored.
- (i) staff is trained and aware of the requirements of this permit.
- (j) appropriate records are kept.
- (k) reviews of environmental performance and continual improvement are undertaken periodically.

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

4. Prevent Environmental Harm

The operator must ensure that environmental harm is not caused by this ERA activity except where specifically permitted by a condition of this development permit.

5. Maintenance of measures, plant and equipment

The operator must:

- (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this development permit
- (b) maintain and calibrate such measures, plant and equipment in an efficient condition and keep records of the maintenance
- (c) operate such measures, plant and equipment in an efficient manner.

6. Any dredging must be conducted using equipment that is in survey and registered and, in relation to environmental performance, is equal to or better than the following equipment

Any dredging must be conducted using equipment that is in survey and registered and, in relation to environmental performance, is equal to or better than the following equipment:

- a) Trailing Suction Hopper Dredge that is equipped, as a minimum, with:
 - (i) below keel discharge of tail waters via an anti-turbidity control valve
 - (ii) on-board systems for determining solids to water ratio or density of dredged material
 - (iii) electronic positioning and depth control system for defining the location and depth of dredging activities

(iv) dredge heads and depth control capable of, and where appropriate, fitted with fauna exclusion devices (e.g. turtle deflectors).

b) Cutter Suction Dredge that is equipped, as a minimum, with:

- (i) electronic positioning and depth control system for defining the location and depth of dredging activities
- (ii) continuous delivery connection (e.g. floating or submerged pipeline) to an approved placement site
- (iii) a system or process to ensure the delivery system integrity is maintained at all times
- (iv) systems for determining solids to water ratio or density of dredged material during operations.

c) Grab Dredge that is equipped, as a minimum, with:

electronic positioning system for defining the location and depth of dredging activities.

7. Monitoring Program

All monitoring works undertaken must be in accordance with the monitoring plan contained within Environmental Management Plan (EMP) submitted to the department.

Any monitoring plan must include (but not be limited to) the following:

- (a) a description of the dredge equipment to be used, including the discharge points for turbid waters
- (b) a plan for the lawful disposal of the dredged material
- (c) a list of environmental values located within and adjacent to the dredge operation
- (d) the methods for collection and analysis of the samples (including specific areas to be monitored, when monitoring is to be undertaken and duration of monitoring.
- (e) the methods of analysing the data and responding to the results.

8. Monitoring must be done by a competent person in accordance with methods set out in the latest version of the administering authority's water quality sampling manual.

9. Chemical Storage

Spillage of all chemicals and fuels must be contained within a containment system on the vessel and controlled in a manner that prevents environmental harm.

10. Release of contaminants

The operator of the ERA must take all reasonable and practicable measures during the works to prevent the movement of sediment from the permitted maintenance dredging area specified in condition 1 to other areas of Cabbage Tree Creek.

11. Notification

Any incident of environmental harm including a reasonable suspicion that environmental harm has or is likely to have occurred) outside the maintenance dredging area must be reported to the administering authority as soon after becoming aware of any release of contaminants not in accordance with the conditions of this approval or any event where environmental harm has been caused or threatened.

Please note: The Department of Environment and Heritage (EHP) Pollution Hotline (1300 130 372) is the most appropriate contact for pollution incidents.

12. Written advice detailing the following information must be provided to the administering authority within fourteen (14) business days following any notification.

- (a) The name of the registered operator of the activity to which this development approval relates, including the development approval number; and
- (b) The name is telephone number of a designated contact person; and
- (c) The location of the release/event; and
- (d) The time of the release/event; and
- (e) The time the registered operator became aware of the release/event; and
- (f) The suspected cause of the release/event; and
- (g) A description of the resulting effects of the release/event; and
- (h) The results of any sampling performed in relation to the release/event; and
- (i) Actions taken to mitigate any environmental harm (including environmental nuisance) caused by the release/event; and
- (j) Proposed actions to prevent a recurrence of the release/event.

13. Records

All records required by this permit must be kept for five years and be made available to the administering authority upon request.

14. 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

15. Placement of dredge material

Dredging must not start until provision has been made to lawfully place or dispose of the dredge material. Evidence of applicable approvals must be made available to the administering authority when requested.

16. Placement of dredge material at sea

Material dredged under this permit must not be placed at sea except at a place authorised under an authority, licence or other permit issued by either or both the Commonwealth or Queensland governments to receive the dredged material.

17. Placement of dredge material on land

Dredge materials must not be placed on land.

18. Air Nuisance

The release of airborne contaminants from the activity must not cause an environmental nuisance.

19. Noise nuisance

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

place.

20. 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. Noise emissions must comply with the following limits;

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 'Nuisance sensitive place'						
L _{A10} , adj, 10 mins	Bkg + 5	Bkg + 5	Bkg + 0	Bkg + 5	Bkg + 5	Bkg + 0
L _{A1} , adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
Noise measured at a 'Commercial place'						
L _{A10} , adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
L _{A1} , adj, 10 mins	Bkg + 15	Bkg + 15	Bkg + 10	Bkg + 15	Bkg + 15	Bkg + 10

(Bkg – background noise level)

"background noise level" means either:

- 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 measured in the absence of the noise under investigation, or
- L_{Abg, 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.

21. Waste Records

A waste prevention audit must be undertaken to identify opportunities for preventing or minimising pollution and any future sediment contamination. The audit will evaluate the type and amounts relative to the hazards the wastes generate.

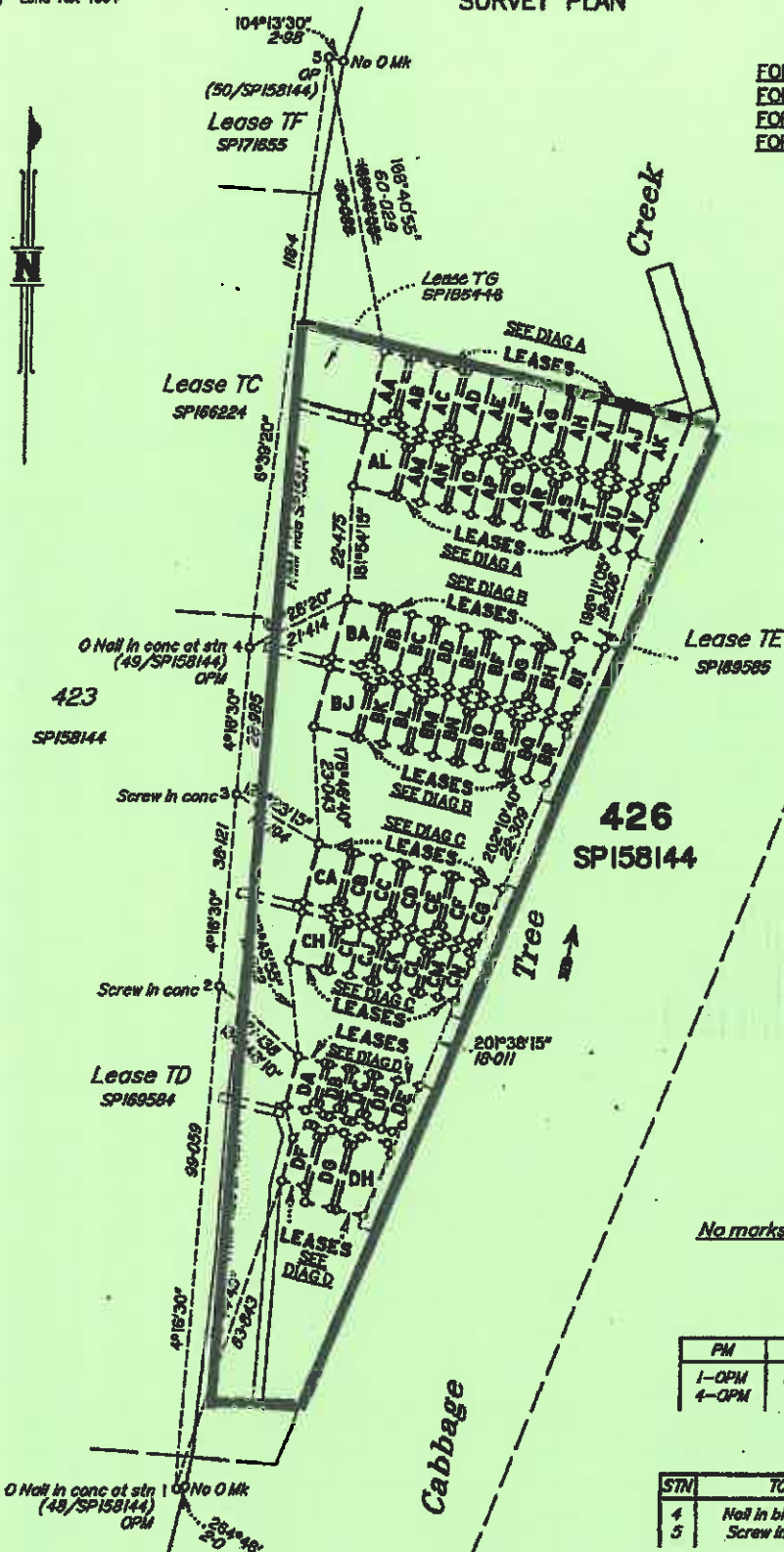
22. Erosion control

Where dredging or associated activities causes erosion of any banks of Cabbage Tree Creek, the registered operator must restore the banks to the pre-worked profile.

SURVEY PLAN

Sheet 1 of 26
BDD00032

FOR DIAGRAM A SEE SHEET 26
FOR DIAGRAM B SEE SHEET 3
FOR DIAGRAM C SEE SHEET 4
FOR DIAGRAM D SEE SHEET 5



Amendments by ARNOLD HARRISON AND ASSOCIATES PTY LTD ACN 010 515 223

Director

Date: 1-11-2007

No marks placed (in water) at all new corners unless otherwise shown.

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
1-OPM	23/SL10748	238°37'40"	238-63	77620
4-OPM	8/SL10745	273°41'	467-97	77619

REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
4	Nail in bitumen		5°43'	24-177
5	Screw in conc		189°25'05"	30-023

LEASES AA TO AV, BA TO BR, CA TO CN AND DA TO DH
ARE WITHIN PORT OF BRISBANE CORPORATION LAND
(Lot 426 on SPI58144)

ARNOLD HARRISON AND ASSOCIATES PTY LTD (ACN 010 515 223) hereby certify that Peter John HARRISON (Cadastral Surveyor) surveyed the land comprised in this plan and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 14/12/2004.



Director

Director

Date: 17-2-2005

H105A

Metres

PLAN OF

Leases AA to AV, BA to BR,
CA to CN and DA to DH
in Lot 426 on SPI58144
(part of Lease TE on SPI69585)

PARISH: NUNDAH

COUNTY: Stanley

Meridian: SPI58144

F/A: NO

150m

Scale: 1:1000

Format: STANDARD



Plan Status:

State copyright reserved.

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.

"annual return" means the return required by the annual notice (under section 316 of the *Environmental 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 *Sustainable Planning Act 2009*

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

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

"dredging" includes extraction of mud, sand, coral, ballast, shingle, gravel, clay, earth and other material from the bed of Queensland tidal and non-tidal waters. Dredging does not include the banks of a waterway.

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

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

- is clearly audible to, or can be felt by, an individual; 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.

" $L_{A\ 10, \text{adj}, 10 \text{ mins}}$ " 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.

" $L_{A\ 1, \text{adj}, 10 \text{ mins}}$ " 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.

" $L_{A, \text{max adj}, T}$ " 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.

"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 cartilage of such a place reasonably used by persons at that place.

"regulated waste" means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 2008* (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.

"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.

END OF CONDITIONS