Registration certificate

No: ENRE04605013

This registration certificate is issued by the administering authority and takes effect from: 24 January, 2013.

The anniversary day for the purposes of the Annual Return is: 24 January.

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 place; subject to the conditions set out in a development approval SPCE01930411 attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Prosoils Pty Ltd
C/- Synergy Accountants
192 Hume Street
TOOWOOMBA QLD 4350

Development Approval Number: SPCE01930411

Place:
1172 – 1216 Middle Road
PEAK CROSSING QLD 4306

Registered Activity:
ERA 53 Composting and soil conditioner manufacturing - manufacturing, from organic material or organic waste, 200t or more of compost or soil conditioners in a year

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

24 Janaury, 2013

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: SPCE01930411

Assessment manager reference (if any):	
Date application received:	23 May 2011
Permit type:	Concurrence Agency Response for a MCU involving an ERA
Date of decision:	29 June 2011
Decision:	Decided that conditions must attach to any development approval
Relevant laws and policies:	*Environmental Protection Act 1994* and any subordinate legislation
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
1172-1216 Middle Road Peak Crossing	Lot 226 on CH31158	ERA 53 – Composting and soil conditioner manufacturing – manufacturing, from organic material or organic waste, 200t or more of compost or soil conditioners in a year

Reason(s) 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.

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[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.

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

Queensland Government

Schedule of Conditions

Conditions of the Development Approval

This development approval consists of the following schedules of conditions relevant to various issues:
The aforementioned description of the environmentally relevant activity (ERA) for which this development approval is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing the approval. Where there is any conflict between the above description of the ERA for which this development approval is issued and the conditions as specified in this development approval as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.
This development approval consists of the following schedules-

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule F - Noise

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I – Definitions

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Schedule A – General Conditions

Maintenance of Plant and Equipment

(A1) The registered operator of this development approval must:

(i) maintain such plant and equipment in a proper and efficient condition; and
(ii) operate such plant and equipment in a proper and efficient manner.

In this condition, "plant and equipment" includes:

(i) plant and equipment used to carry out the environmentally relevant activities themselves, for example, machinery used for screening and soil conditioner manufacturing;
(ii) plant and equipment used to prevent and/or minimise the likelihood of environmental harm being caused by the carrying out of the environmentally relevant activities, for example, plant and equipment used for the purposes of dust control, stormwater management and erosion control;
(iii) structures and devices used to contain escapes of contaminants which may result from the carrying out of the environmentally relevant activities, for example, bunding;
(iv) structures and devices used to store, handle, treat and dispose of waste which may result from the carrying out of the environmentally relevant activities, for example, settlement ponds, and
(v) backup systems that act in the event of failure of a primary system.

Display of Development Approval

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

Records

(A3) Any record or document required to be kept by a condition of this development approval must be kept at the appropriate approved place for a period of at least five (5) years (except as otherwise provided) and be available for examination by an authorised person.

(A4) Copies of any record or document required to be kept by a condition of this development approval must be provided to any authorised person or the administering authority on request.

Alterations

(A5) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development approval.

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

Nuisance

(A6) Notwithstanding any other condition of this development approval, this development approval does not authorise any release of contaminants which cause or are likely to cause an environmental nuisance.

Site-based management plan

(A7) From commencement of the activity 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

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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.

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.

(A8) The SBMP must not be implemented or amended in a way that contravenes any condition of this approval.

(A9) The person undertaking the activity to which this approval relates must submit details of any amendment to the SBMP to the administering authority with the annual return, which immediately follows the enactment of any such amendment.

(A10) A copy of the most current version of the SBMP must be kept at the approved place and be available for inspection by an authorised person.

Schedule B - Air

Dust and Particulate Emissions

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

Dust Control - Stockpiles

(B2) Stockpiles must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust or particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to:

- the use of water sprays as required during winds likely to generate such releases;
- the use of dust-suppressant shielding; and
- storage in bunkers or sheds.

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Dust Control - Trafficable Areas

(B3) Trafficable areas must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust or traffic generated dust to the atmosphere. Reasonable and practicable measures may include but are not limited to:

- keeping surfaces clean;
- sealing with bitumen or other suitable material;
- using water sprays;
- adopting and adhering to speed limits; and
- using dust suppressants and wind breaks.

Dust Control - Raw Material Preparation Plants

(B4) Raw material preparation plants must be operated and maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust to the atmosphere. Reasonable and practicable measures may include but are not limited to:

- transfer of materials in a moist state;
- use of water sprays at transfer points; and
- use of shielding and wind breaks.

Dust and Particulate Emissions from Composting Operations

(B5) The registered operator must undertake all reasonable and practicable measures necessary to minimise wind-borne dust and particulate matter emissions to the atmosphere from the composting operations at the place to which this approval relates. Such measures may include, but are not limited to:

(i) composting windrow forming and turning, compost remixing, blending and screening operations in calm weather conditions;
(ii) maintaining any composting windrows and raw material stockpiles in moist conditions; and
(iii) screening and sizing of material in a moist condition and/or installing of dust impervious enclosures on any screening plant or equipment.

Dust control - Aggregate Transport Trucks

(B6) The registered operator must take all reasonable and practicable measures necessary to prevent spillage and/or loss of particulate matter or windblown dust from trucks used for transporting material from the place to which this approval relates. Reasonable and practicable measures may include but are not limited to:

- wetting down the load prior to transport;
- having the entire load covered with a tarpaulin or similar material for the duration of transport; and
- clearing of spillage from side rails, tail gates and draw bars of trucks prior to departure from the place to which this approval relates and prior to departure from the premises to which the load has been delivered.

(B7) Vehicle tyres and under bodies must be sufficiently free of dust and mud, including by being washed and/or cleaned prior to leaving the place to which this approval relates if necessary, so as to ensure that dust and/or mud is not deposited on any public road by vehicles leaving the place to which this approval relates.

Noxious or Offensive Odour

(B8) Notwithstanding any other condition of this development approval no release of contaminants from the place to which this approval relates is to cause a noxious or offensive odour at any nuisance sensitive place.

(B9) The registered operator of this development approval must ensure that loads of bark, particulate and odourous organic materials transported to and from the approved place by or on behalf of the registered operator of this development approval are covered during transport to and from the approved place.

Rehabilitation - Dust Control

(B10) All disturbed areas must be revegetated as soon as practicable on the completion of operations.

Schedule C - Water

Release of Contaminants to Waters

(C1) Contaminants that will or may cause environmental harm must not be directly or indirectly released from the place to which this approval relates to any waters or the bed and banks of any waters except to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

Schedule D – Stormwater Management

Stormwater Management Plan

(D1) The registered operator of this development approval, must develop and implement a Stormwater Management Plan which details how the registered operator of this development approval will manage the actual and potential environmental impacts resulting from the contamination of stormwater at the approved place.

(D2) The Stormwater Management Plan must address at least the following matters:

(i) prevention of stormwater runoff from contacting raw materials, products or contaminants;
(ii) diversion of upstream runoff away from areas containing raw materials, products or contaminants;
(iii) minimisation of the size of contaminated areas;
(iv) cleaning of contaminated areas without water; and
(v) installation of pollution control equipment such as oil separators, silt and rubbish traps, sedimentation basin ponds, settling pits and stormwater diversion systems.

(D3) A copy of the Stormwater Management Plan and any subsequent amendments to the Stormwater Management Plan must be kept at the approved place and be available for examination by an authorised person on request.

(D4) The registered operator of this development approval must submit a copy of the Stormwater Management Plan to the administering authority **on or before 30 December 2011** and details of any subsequent amendment to the Stormwater Management Plan(s) to the administering authority with the annual return which immediately follows the enactment of such amendment.

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Stormwater Management

(D5) A system of suitable diversion drains or embankments must be constructed and maintained to divert surface waters away from any area where contact with process raw materials, wastes or contaminants may occur.

(D6) All contaminated stormwater runoff from the processing plant, access roads, stockpiles and the areas utilised for the operation of the stockpiles must be directed to sediment trap(s) which are effective in minimising the amount of suspended solids in any stormwater entering the sediment pond(s).

(D7) The overflow from the sediment trap(s) must be collected and contained in a sediment pond and the effluent reused on the place to which this approval relates in a manner that does not cause environmental harm.

(D8) Erosion control structures and sediment traps must be maintained at all times and checked, repaired or replaced as required after each rain event.

(D9) All ponds used for the storage or treatment of contaminants or wastes must be installed and maintained to prevent any discharge through the bed or banks of the pond from causing environmental harm or environmental nuisance in any waters (including groundwaters).

(D10) All ponds used for the storage or treatment of contaminants or wastes must be constructed and maintained to ensure the stability of the ponds construction.

(D11) The sediment removed must be disposed of in a manner that will not cause environmental harm.

Erosion Protection Measures and Sediment Controls

(D12) All reasonable and practicable erosion protection measures and sediment controls must be provided and maintained to effectively minimise any likelihood of erosion and release of sediments from the approved place and must be maintained. Such measures may include but not necessarily be limited to:

(i) diversion drainage works to divert uncontaminated stormwater runoff away from disturbed areas;
(ii) sedimentation traps;
(iii) diversion drainage works installed to ensure surface waters from disturbed areas, including operational and any uncovered trafficable areas, are diverted to the sediment control system, and
(iv) designing drainage to minimise surface flow velocities.

(D13) Erosion control and sediment control structures must be maintained at all times during the periods of the environmentally relevant activities are carried out. Procedures must be implemented to check and, if necessary, repair or replace the erosion control and sediment control structures after each rain event likely to adversely affect the efficiency of those structures.

(D14) Drainage through and from all trafficable areas must be designed to minimise surface flow velocities.

Maintenance and Clean up

(D15) The maintenance and cleaning of vehicles and any other equipment must be carried out in areas from where resultant contaminants cannot be released into any waters, roadside gutter or stormwater drainage system.

(D16) Spillage of wastes, contaminants or other materials that has the potential to cause environmental harm must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Bunding

(D17) All above ground liquid fuel tank storages must be bunded so that the capacity of the bund is sufficient to contain at least 100 % of the largest storage tank plus 10 % of the second largest tank within the bund.

(D18) All liquid fuel drum storages must be bunded so that the capacity of the bund is sufficient to contain at least 25 % of the maximum design storage volume within the bund.

(D19) All bunding must be constructed of materials that are impervious to the materials stored.

(D20) All bunding must be roofed where reasonable and practicable.

(D21) Where it is impractical to completely roof a bunded area the registered operator must ensure that any stormwater captured within the bund is free from contaminants and wastes prior to any release.

Schedule E - Land Application

Release of Contaminants to Land

(E1) There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land.

Schedule F - Noise

Emission of Noise

(F1) The environmentally relevant activity must be carried out by such practicable means necessary to prevent the emission or likelihood of emission of noise that constitutes any annoyance.

(F2) All noise form activities must not exceed the levels specified in Table 1 – Noise limits at any nuisance sensitive or commercial place.

Schedule F Table 1 - Noise limits

Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am
	Noise measured at a 'Noise sensitive place'					
$L_{A10, adj, 10 mins}$	Bkg + 5	Bkg + 3	Bkg + 0	Bkg + 5	Bkg + 0	Bkg + 0
$L_{A1, adj, 10 mins}$	Bkg + 10	Bkg + 10	Bkg + 0	Bkg + 10	Bkg + 0	Bkg + 0
	Noise measured at a 'Commercial place'					
$L_{A10, adj, 10 mins}$	Bkg + 10	Bkg + 10	Bkg + 0	Bkg + 10	Bkg + 0	Bkg + 0
$L_{A1, adj, 10 mins}$	Bkg + 15	Bkg + 15	Bkg + 0	Bkg + 15	Bkg + 0	Bkg + 0

Schedule G - Waste management

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General

(G1) Procedures must be implemented to ensure that wastes are minimised, recycled, stored, handled and transferred in a proper and efficient manner and that any disposal of waste (excepting any release of

waste provided for by a condition of this development approval) is to a facility appropriate to accept such waste.

(G2) The registered operator must not:

(i) burn waste at or on the place to which this approval relates; or
(ii) allow waste to burn or be burnt at or on the place to which this approval relates; or
(iii) remove waste from the place to which this approval relates and burn such waste elsewhere.

(G3) Records of trade waste agreements must be made available for inspection on request.

Composting Design and Operating Criteria

(G4) Windrow composting, compost remixing, blending and screening operations must be carried out on a hardstand pad, constructed of compacted clay or other low permeability material to minimise soil infiltration.

(G5) The hardstand pad must be graded to avoid rainwater ponding and bunded as necessary to divert any contaminated stormwater runoff to the sediment trap(s).

Schedule H – Monitoring and Reporting

Complaint Recording

(H1) All complaints received by the registered operator relating to releases of contaminants from operations at the place to which this approval relates must be recorded and kept in a log book with the following details:

(i) time, date and nature of complaint;
(ii) type of communication (telephone, letter, personal etc.);
(iii) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded);
(iv) response and investigation undertaken as a result of the complaint;
(v) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

(H2) The complaints record required by condition number H1 must be maintained for a period of not less than three (3) years.

Noise Monitoring

(H3) For the purposes of checking compliance with condition F2, monitoring and recording of the noise levels from the activities must be undertaken for the following descriptors, characteristics and conditions:

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

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(H4) In the event of a complaint about noise that constitutes annoyance being made to the administering authority, that the administering authority considers is not frivolous or vexatious, the registered operator must undertake noise monitoring to investigate such a complaint upon written request from the administering authority.

(H5) The method of measurement and reporting of noise levels must comply with the most recent edition of the Department of Environment and Resource Management's Noise Measurement Manual.

(H6) The measurement and reporting of noise levels must be undertaken by a person possessing appropriate experience and qualifications to perform the required measurements.

(H7) Records must be kept of the results of all monitoring of noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least three (3) years.

Ambient Particulate Monitoring

(H8) Ambient particulate monitoring must be undertaken to investigate any complaint of dust nuisance upon receipt of a request from the administering authority to carry out such monitoring or upon the receipt of a dust complaint by the registered operator.

(H9) Analysis of the obtained samples must be made for the following:

(i) total water insoluble dust in milligrams, and
(ii) dust fallout in milligrams/square metre/day.

(H10) All measurement and reporting of particulates in ambient air must be performed by a person possessing appropriate experience and qualifications to perform the required measurements.

(H11) Records must be kept of the results of all monitoring of particulates in ambient air for a period of at least three (3) years.

Notification of Emergencies and Incidents

(H12) The registered operator must telephone 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.

(H13) A written notice detailing the following information must be provided to DERM within 14 days of any advice provided in accordance with condition H12:

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

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Exception Reporting

(H14) The registered operator must notify the administering authority in writing of any monitoring result which indicates an exceedance of any development approval limit within 28 days of completion of analysis.

(H15) The written notification required by condition number H14 must include:

(i) the full analysis results, and
(ii) details of investigation or corrective actions taken, and
(iii) any subsequent analysis.

Report Submission

(H16) The registered operator must ensure that the results of all monitoring performed in accordance with this development approval for the period covered by the return, are submitted with the annual return.

Schedule I - Definitions

For the purposes of this development approval any term not otherwise defined in the *Environmental Protection Act 1994* and subsequent amending legislation and any subordinate legislation made pursuant to the *Environmental Protection Act 1994* or in the Definitions Schedule of this development approval has the meaning conferred to that term in its common usage.

In the event of any inconsistency arising between the meaning of any term provided in the Definitions Schedule of this development approval and any common usage of that term, the meaning conferred in the Definitions Schedule of this development approval prevails.

For the purposes of this development approval the following definitions apply:

(I1) **administering authority"** means the Department of Environment and Resource Management or its successor.

(I2) **"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.

(I3) **"approval"** means 'notice of development application decision' or 'notice of concurrence agency response' under the *Sustainable Planning Act 2009*.

(I4) **"background noise level"** means either -

(i) $L_{A90,T}$, being the A-weighted sound pressure level measured in the absence of the noise under investigation during a representative time period of not less than fifteen (15) minutes, using Fast response, that is exceeded for 90 percent of the measurement period; or
(ii) $L_{Abg,T}$, 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 fifteen (15) minutes, using Fast response.

(I5) **"commercial place"** means a place used as an office or for business or commercial purposes.

(I6) **"dust sensitive place"** means -

(a) a dwelling, mobile home or caravan park, residential marina or other residential place;
(b) a motel, hotel or hostel;
(c) a kindergarten, school, university or other educational institution;
(d) a medical centre or hospital;
(e) a protected area;
(f) a park or gardens; or
(g) a place used as an office or for business or commercial purposes and includes the curtilage of any such place.

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(I7) **"dwelling"** means any of the following structures or vehicles that is principally used as a residence-

(a) a house, unit, motel, nursing home or other building or part of a building;
(b) a caravan, mobile home or other vehicle or structure on land;
(c) a water craft in a marine.

(I8) **"intrusive noise"** - means noise that, because of its frequency, duration. level, tonal characteristics, impulsiveness or vibration -

(a) is clearly audible to, or can be felt by, an individual; and
(b) annoys the individual.

In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be had to *Australian Standard 1055.2 - 1989 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations.*

(I9) **"land"** in the "land schedule" of this development approval means land excluding waters and the atmosphere.

(I10) **"leachate"** means a liquid that has passed through or emerged from, or is likely to have passed through or emerged from, a material stored, processed or disposed of at the approved place which contains soluble, suspended or miscible contaminants likely to have been derived from the said material.

(I11) **"Max$L_{pA\,T}$"** means the absolute maximum instantaneous A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I12) **"maximum"** means that the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

(I13) **"minimum"** means that the measured value of the quality characteristic or contaminant must not be less than the release limit stated.

(I14) "mg/L" means milligrams per litre.

(I15) "noise sensitive place" means any of the following places -

(a) a dwelling;
(b) a library, childcare centre, kindergarten, school, college, university or other educational institution;
(c) a hospital, surgery or other medical institution;
(d) a protected area, or an area identified under a conservation plan as a critical habitat or an area of major interest, under the *Nature Conservation Act 1992*;
(e) a park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment and includes the curtilage of any such place.

(I16) "noxious" means harmful or injurious to health or physical well being.

(I17) "offensive" means causing unreasonable offence or displeasure; is unreasonably disagreeable to the sense; is disgusting, nauseous or repulsive.

(I18) "range" means that the measured value of the quality characteristic or contaminant must not be less than the higher release limit stated nor lower than the lower release limit stated.

(I19) "µg/L" means micrograms per litre.

END OF CONDITIONS

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