# Registration certificate

## No: ENRE04264112

This registration certificate is issued by the administering authority and takes effect from: 10-SEP-12.

The anniversary day for the purposes of the Annual Return is: 10-SEP-12.

This registration certificate is a requirement of section 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 attached to the premises, or the relevant code of environmental compliance.

**Registered Operator:**
M & M Crushing Pty Ltd
Holmes & Partners Pty Ltd
Suite 3, 23 Main Street
VARSITY LAKES QLD 4227

**Development Approval Number: SPDE04568012**

Place:

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

Located at:

Various locations throughout the state of Queensland.

Registered Activity:

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

Brett Glosko
Delegate
Department of Environment and Heritage Protection
*Environmental Protection Act 1994*

10-SEP-2012



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

Queensland Government

# Notice

## Decision notice

*This notice is issued by the assessment manager pursuant to section 334 (decision notice) of the* Sustainable Planning Act 2009.

M & M Crushing Pty Ltd

PO Box 2027

Burleigh QLD 4220

Our reference: 390778 / BSTI712

## Re: Application for development approval

1. **Application Details**

Applicant: M & M Crushing Pty Ltd

Date application made to the assessment manager: 1 August 2012

Development approval applied for: Development permit

Aspects of development:

| Assessable Development | Assessment Manager Reference |
|---|---|
| Material change of use of premises – For an environmentally relevant activity<br>Sustainable Planning Regulation 2009 - Schedule 3, Part 1, Table 2, item 1 | SPDE04568012 |

Development description(s): ERA 16 3 (a) - screening, in a year, 5000t to 100000t of material

Property/Location description(s): Mobile and Temporary within the State of Queensland

2. The name and address of each referral agency is as follows.

Nil



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

Queensland Government

3. The administering authority's decison notice for the aspect(s) of development involved with the application the subject of this Notice is as follows:

    a. The application was decided on 28 August 2012 and is approved subject to conditions.

4. You are advised that operators of a mobile and temporary Environmentally Relevant Activity are required under section 73PB of the *Environmental Protection Act 1994* to maintain a work diary (Attachment 2).

5. Information about the rights of appeal for the applicant any submitters are attached to this Notice.

28/08/12

**Delegate**
Brett Glosko
Delegate, Chief Executive administering the *Environmental Protection Act 1994*
Department of Environment and Heritage Protection

**Enquiries**
Megan Davis
Department of Environment and Heritage Protection
Level 1, 14 Edgewater Court, Robina Qld 4226
Phone: 5583 2146
Fax: 5583 2136
Email: megan.davis@ehp.qld.gov.au

**Attachment(s)**

Attachment 1 – EHP Permit No. SPDE04568012
Attachment 2 – Work Diary Approved Form
Information Sheet – Appeals – Sustainable Planning Act 2009 (extract from the Sustainable Planning Act 2009)

*Sustainable Planning Act 2009*

## EHP Permit [1] number: SPDE04568012

| | |
|---|---|
| **Assessment manager reference:** | 390778 |
| **Date application received:** | 1 August 2012 |
| **Permit type:** | Development permit |
| **Date of decision:** | 28 August 2012 |
| **Decision:** | The application is approved subject to conditions |
| **Relevant laws and policies:** | *Environmental Protection Act 1994* and any related statutory instruments and subordinate legislation |
| **Jurisdiction(s):** | Material change of use of premises – For an environmentally relevant activity |
| **Legislation:** | Sustainable Planning Regulation 2009 - Schedule 3, Part 1, Table 2, item 1 |

**Development Description(s)**

| Property/Location | Development |
|---|---|
| Mobile and Temporary | ERA 16 3 (a) - screening, in a year, 5000t to 100000t of material |

**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.*

[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.

28/08/12

**Delegate**
Brett Glosko
Delegate, Chief Executive administering the *Environmental Protection Act 1994*
Department of Environment and Heritage Protection

# CONDITIONS

## Conditions for: Mobile and Temporary - ERA 16 Extractive and screening activities Threshold 3(a) - screening, in a year, more than 5000t to 100 000t of material.

### Agency Interest: General

G1 **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.

G2 **Activity Based Management Plan**

An activity based management plan (ABMP) must be developed for implementation prior to carrying out the activity at each site.

The ABMP must include:

(a) environmental commitments - a commitment by senior management to achieve specified and relevant site specific environmental goals;
(b) the purpose and description of the activity, the type of machinery, method of extraction or screening, the location of infrastructure and site(s) of activity;
(c) a description of the site and surrounding environment including site dimensions, land tenure and existing use of the land, and the location of any sensitive places or areas of high ecological significance;
(d) identification of environmental issues and potential environmental impacts from the activity;
(e) control measures for routine operations to minimise the likelihood of causing environmental harm;
(f) arrangements for monitoring and mitigating contaminant releases (e.g. water, dust, noise);
(g) contingency plans and emergency procedures for non-routine situations;
(h) organisational structure and responsibility;
(i) details of site environmental management training to be provided to staff and contractors at the commencement and during the course of the activity;
(j) records that are to be kept and the methods for keeping those records;
(k) provisions for continuous improvement and periodic review of environmental performance; and
(l) details of progressive and post-activity rehabilitation of disturbed areas.

G3 **Signage**

A sign must be displayed at each activity site that states the name of the registered operator, registration certificate number, contact details for the registered operator, and dates of the operation of the mobile activity at the site.

Any sites (or part thereof) undergoing rehabilitation must have additional signage indicating that the relevant area is undergoing rehabilitation and is not to be accessed.

G4 **Contaminant Release**

Contaminants that may cause actual or potential environmental nuisance or environmental harm must not be released directly or indirectly to land, air, or waters.

G5 As soon as a registered operator becomes aware of any release of contaminants that may cause actual or potential environmental harm, the release must be stopped, promptly rectified with the necessary equipment and remediation methods, and all reasonable actions taken to prevent a recurrence of the release.

G6 **Incident Notification**

The registered operator must telephone the administering authority's Pollution Hotline (1300 130 372) or local office (07 5583 2139) as soon as possible and no later than 24 hours after becoming aware of any release of contaminants not in accordance with the conditions of this approval or an event where environmental harm has been caused or may be threatened.

G7 **Incident Reporting**

A written notice detailing the following information must be provided to the administering authority within 7 days of any advice provided in accordance with condition G6:

(a) the name of the registered 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 if relevant;
(e) person/s involved (driver and any others) if relevant;
(f) the location and time of the release / event;
(g) the suspected cause of the release / event;
(h) a description of the effects of the release / event;
(i) the results of any sampling performed in relation to the release / event;
(j) actions taken to mitigate any environmental harm caused by the release / event; and
(k) proposed actions to prevent a recurrence of the release / event.

G8 **Complaint response**

The following details must be recorded when a complaint about the environmental performance of the activity is received:

(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.

G9 **Records**

All records required to be kept by this code must be kept for 5 years and be made available to the administering authority when requested.

G10 **Hours of Operation**

The relevant activity must be operated within the hours of 7am to 6pm Monday to Friday* and 7am to 6pm on Saturday.
** Note: this does not include public holidays.*

G11 **Monitoring**

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

G12 **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.

G13 **Buffer Distances**

Unless otherwise authorised by the administering authority, the activity must not be undertaken within a buffer distance of 500 meters from a nuisance sensitive place.

G14 Unless otherwise authorised by the administering authority, the activity must not be undertaken within a buffer distance of 50 metres from any water course or stormwater drain.

G15 Unless otherwise authorised by the administering authority, the activity must not be undertaken within a buffer distance of 100 metres to an area of Highly Significant Value.

## Agency Interest: Air

A1 **Environmental Nuisance**

The release of odours or airborne contaminants (including dust) resulting from the activity must not cause environmental nuisance.

A2 **Dust and particulate matter monitoring**

When requested by the administering authority, the registered operator must commission dust and particulate monitoring to investigate any complaint of environmental nuisance caused by dust and/or particulate matter. The monitoring data, an analysis of the data and a report must be provided to the administering authority within 14 days of the completion of the investigation. 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 (m) (PM10) suspended in the atmosphere over a 24hr averaging time.

A3 **Dust and particulate matter limits**

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.

A4 Upon request by the administering authority, a dust nuisance response strategy must be developed and implemented. The dust nuisance response strategy must address at least, but not be limited to, the following matters:

(a) identification of dust sources and activities at the site which impact on dust sensitive areas;

(b) control and abatement measures that can be undertaken to reduce identified dust sources;

(c) the expected reduction of dust emissions at a dust sensitive place that would be achieved from implementing the proposed measures;

(d) the handling of dust complaints;

(e) community liaison and consultation; and

(f) training of staff in dust management practices.

A5 **Dust Control**

The registered operator of this approval must undertake all reasonable and practicable measures to minimise wind-borne dust and particulate emissions to the atmosphere from the ERA.

## 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 All noise from activities must not exceed the levels specified in Table 1 - Noise limits at any nuisance sensitive or commercial place.

**Table 1 – Noise Limits at a Noise Sensitive Place**

| Noise level dB(A) measured as | Day 7am to 6pm | Evening 6pm to 10pm | Night 10pm to 7am |
|---|---|---|---|
| Nuisance sensitive place | | | |
| $LA_{eq,adj,15\ mins}$ | Background + 5 | Background + 3 | Background + 0 |
| $LA_{10,adj,15\ mins}$ | Background + 10 | Background + 5 | |
| Commercial place | | | |
| $LA_{eq,adj,15\ mins}$ | Background + 10 | Background + 5 | Background + 0 |
| $LA_{10,adj,15\ mins}$ | Background + 15 | Background + 10 | |

N3 **Noise Monitoring**

When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:

(a) background noise level as $LA_{90,\ adj,\ 15\ mins}$
(b) $LA_{eq,\ adj,\ 15\ mins}$
(c) $LA_{10,\ adj,\ 15\ mins}$
(d) $LA_{1,\ adj,\ 15\ mins}$
(e) the level and frequency of occurrence of impulsive or tonal noise;
(f) atmospheric conditions including wind speed and direction;
(g) effects due to extraneous factors such as traffic noise; and
(h) location, date and time of recording.

N4 The method of measurement and reporting of noise levels must comply with the latest edition of the Administering Authority's Noise Measurement Manual.

## Agency Interest: Water

W1 **Release To Waters**

Contaminants must not be released from the site to any waters or the bed and banks of any waters except for those stated in accordance with *Table 2 – Contaminant Release Limits to Water.*

**Table 2- Contaminant Release Limits to Water**

| QUALITY CHARACTERISTIC | DISCHARGE LIMIT | LIMIT TYPE | MONITORING FREQUENCY |
|---|---|---|---|
| pH (pH Units) | 6.5 to 8.0 | range | at least once within each 28 day period of operation, upon stormwater release |
| Total Suspended Solids (mg/L) | 50.0 | maximum | |
| Turbidity (ntu) | 50.0 | maximum | |
| Dissolved Oxygen (mg/L) | 6.0 | minimum | |
| Litter / gross pollutants | None | maximum | daily upon stormwater release |
| Visible Oil and Grease | No visible oil and grease. | maximum | daily upon stormwater release |
| Other contaminants | N/A | N/A | at request of the administering authority |

W2 **Monitoring**

Monitoring must be undertaken and records kept of contaminant releases to waters for the quality characteristics, and not less frequently, than that specified in *Table 2 - 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 Administering Authority's Water Quality Sampling Manual;

(b) carried out at discharge location(s) at the site boundary; and

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

W3 **Sediment Retention Basin**

If the ERA is conducted at a site for longer than 28 days for the construction or demolition phase of **a** project, the holder of this development approval must ensure that stormwater from the site is captured and retained from all disturbed areas during a 24-hour storm event with an average recurrence interval of 1 in 5 years.

W4 Water captured within the sediment retention basin must be allowed to settle and / or undergo treatment prior to release in order to meet the contaminant release limits in *Table 2 - Contaminant Release Limits to Water*.

W5 Water captured within the sediment retention basin must not be retained for longer than 4 days to ensure basin capacity is maintained.

W6 Any sediment retention basin designed in accordance with condition W3 must be installed and maintained:

(a) to ensure the stability of the ponds construction; and
(b) to ensure the full capacity by emptying excess sediment when necessary.

W7 The discharge of stormwater from the site must not cause erosion, destabilisation of the bed / banks of a watercourse, or result in the release of contaminants to waters.

W8 **Erosion and Sediment Control**

Best practice erosion protection measures and sediment control measures must be implemented and maintained to prevent and minimise erosion and the release of sediment from the site.

Best practice erosion protection measures and sediment control measures may include:

(a) identifying erosion prone soils and planning activities to avoid any unnecessary disturbance (e.g. dispersible soils);
(b) keeping the area of disturbed land to a practical minimum;
(c) keeping road gradients as low as possible;
(d) avoiding erosion gullies, overland flow paths, steep cut and fills, and works on steep slopes because these may cause landslides, erosion and slumping problems;
(e) stabilising erosion gullies and install rock battered drainage channels and diversions where erosion cannot be stabilised;
(f) utilising appropriately designed and located sediment dams, rock check dams and silt fences for the capture and retention of sediment onsite;
(g) carrying out slope stabilisation, cross ditching, soil replacement and reseeding with species native to the area to reduce erosion on significantly disturbed areas until a self-sustaining vegetation cover is established;
(h) diverting upslope water around exposed sites by lining with timber, topsoil and overburden, and rilling along upslope edges;
(i) suspending activities that cause ground disturbance during adverse weather conditions;
(j) installing a sediment pond and/or sediment traps around topsoil stockpiles and downslope areas to capture all sediment-laden runoff;
(k) installing contour banks and diversion drains to exclude the potential for overland flow water to enter areas significantly disturbed by the activity;
(l) providing surface drainage as part of road construction to:
    (i) control runoff from the road surface;
    (ii) reduce saturation and ponding along the road;
    (iii) prevent or minimise erosion along the road surface and in roadside drainage systems; and
(m) maintaining a vegetation buffer around the disturbed areas.

## Agency Interest: Waste

WA1 **General**

The registered operator of an ERA to which this approval relates must not:

(a) burn waste at or on the approved place;
(b) allow waste to burn or be burnt at or on the approved place; nor
(c) remove waste from the approved place and burn such waste elsewhere other than an appropriate approved waste disposal facility that can lawfully burn such waste.

WA2 **Disposal of waste**

All waste generated in carrying out the activities must be reused, recycled or removed to a facility that can lawfully accept the waste under the *Environmental Protection Act 1994*.

WA3 The registered operator must abide by the waste management quality objectives specified in the most recent edition of the respective *Environmental Protection (W*aste Management*) Policy.*

WA4 **Waste Records**

A record of all regulated waste (excluding trackable 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 waste; and
(e) destination of the waste.

WA5 **Acid Sulphate Soil**

Where the ABMP (refer to condition G2) identifies a potential acid sulfate soil hazard, the registered operator must comply with an acid sulfate soil environmental management plan prepared in accordance with the State Planning Policy 2/02 Guideline: Planning and Managing Development Involving Acid Sulfate Soils and the relevant Guidelines.

## Agency Interest: Land

L1 **Preventing Contaminant Release To Land**

Contaminants must not be released to land.

L2 Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

L3 **Bunding**

All chemical and fuel tank storage must be bunded such that the capacity of the bund is sufficient to contain at least 110 percent for a single tank or 100 percent of the largest storage tank plus 10 percent of the second largest tank within the bund.

L4 All fuel and chemical storage at the site must be in accordance with the relevant Australian / New Zealand Standard, including but not limited to:

a) Australian Standard for *The Storage and Handling of Flammable and Combustible Liquids* (AS 1940-1993).

L5 All chemical and fuel drum or container storage must be bunded so that the capacity of the bund is sufficient to contain at least 25 percent of the maximum design storage volume within the bund.

L6 All fuel and chemical tank vehicle delivery areas must be bunded so that the capacity of the bund is sufficient to contain 110% of the volume of the largest vehicle tanker compartment.

L7 **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, and in each vehicle used if the activity is a mobile ERA.

## Agency Interest: Rehabilitation / Vegetation Management

R1 **Rehabilitation**

As soon as practicable and within 2 months of ceasing operations (temporarily *or* permanently) the registered operator must rehabilitate the site. Where operations have temporarily ceased, the operator must rehabilitate the areas of the site that will not be disturbed in the future and must take whatever measures are required to prevent the remainder of the site being the cause of environmental harm.

Where operations at the activity site or on part of the activity site have permanently ceased, all areas disturbed by the activity must be rehabilitated by:

(a) remediation of contaminated land caused by the activity in accordance with *Environmental Protection Act 1994* requirements and this code;
(b) undertaking works to establish a safe, stable, non polluting landform similar to that of surrounding undisturbed areas (or other use as agreed with the landowner), including where relevant;
    i. removing any stockpiles;
    ii. re-establishing surface drainage lines;
    iii. minimising the potential for slumping, subsidence or erosion;
    iv. reinstating the topsoil;
    v. respreading any cleared vegetation; and
    vi. promoting establishment of vegetation of similar species composition and density of cover; and
(c) ensuring that the quality of stormwater, water and seepage released from the site is such that there is no release of contaminants that cause environmental harm;
(d) ensuring that the water quality of any residual water bodies meets criteria for subsequent uses and does not cause environmental harm; and
(e) removing infrastructure from the site.

R2 **Maintenance of rehabilitation**

Maintenance of rehabilitated areas must take place at least annually to demonstrate:

(a) landforms remain stable;
(b) erosion control measures remain effective;
(c) stormwater runoff and seepage from rehabilitated areas does not release contaminants that cause environmental harm;
(d) plants show healthy growth and recruitment; and
(e) rehabilitated areas are free of any declared pest plants.

R3 **Rehabilitation Success**

Rehabilitation must continue until the site can be managed for its designated land-use (either similar to that of surrounding undisturbed areas or as otherwise agreed in a written document with the landholder and administering authority). For at least 2 years, the site should not require greater management than for other land in the area being used for a similar purpose.

R4 **Clearing vegetation**

Clearing of vegetation is to be kept to the minimum area necessary to carry out the activity.

Clearing vegetation must not be undertaken:

(a) in, or within 100 metres of, the high bank of a watercourse;
(b) in, or within 100 metres of a wetland or spring;
(c) in a way that damages adjacent live vegetation;
(d) on slopes greater than 6° (~10%); or
(e) on dispersible soils or highly erodible soils.

**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 Heritage Protection 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 *Sustainable Planning Act 2009*.

**"Area of Highly Significant Value"** includes wetlands and/or an area mapped as very high or high in the Aquatic Conservation Assessment or State or Regional Significant in the Biodiversity Planning Assessment.

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

**"Background noise level"** means either:

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

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

**"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 *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.

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

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

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

**"material"** means clay, gravel, loam, rock, sand and other substances found in the earth.

**"mg/L"** means milligrams per litre.

**"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.

**"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 2004* 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.

**"protected area"** means –

- a protected area under the *Nature Conservation Act 1992*; or
- a marine park under the *Marine Parks Act 2004*; or
- a World Heritage Area.

**"regulated waste"** means waste that -

- is commercial or industrial waste, whether or not it has been immobilised or treated; and
- is of a type, or contains a constituent of a type, mentioned in Schedule 7 of the *Environmental Protection Regulation 2008*

Regulated waste includes -

- for an element - any chemical compound containing the element; and
- anything that contains residues of the waste.

**"screening"** includes washing, crushing, grinding, milling, sizing or separating material.

**"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.

**"wetlands"** (as defined in Schedule 12 of the *Environmental Protection Regulation 2008*) means an area shown as a wetland on the 'Map of referable wetlands' of April 2010, a document approved by the Chief Executive.

**"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