ENVIRONMENTAL PROTECTION ACT 1994

Queensland Government
Environmental Protection Agency
Queensland **Parks and Wildlife Service**

Sunshine Coast District Office
PO Box 168 COTTON TREE QLD 4558
Phone: (07) 5443 8940 Fax: (07) 5443 8942
www.env.qld.gov.au ABN: 87221158786

Integrated Authority No. SR2494

Section 311 *Environmental Protection Act 1994*

This integrated authority, issued in accordance with section 311 of the Environmental Protection Act 1994 (the EP Act), provides for the carrying out of different Environmentally Relevant Activities or Environmentally Relevant Activities at different places managed in an integrated way. This integrated authority comprises one or more type of environmental authority in accordance with sections 86, 93, 95, 104, 113 and 311, of the EP Act, and this integrated authority details the conditions that are relevant to each stated type of environmental authority.

Under the provisions of the *Environmental Protection Act 1994* this integrated authority is issued to:

R W & G Johnston Pty Ltd
Hausler McDonald Whitelaw
Level 12A 307 Queen Street
BRISBANE QLD 4000

in respect of carrying out the Environmentally Relevant Activities (ERAs) at the same place and under the type of environmental authority described in the following parts.

This integrated authority is subject to the conditions set out in the attached schedules for each part.

The anniversary date of this integrated authority is 5 November each year.

This integrated authority takes effect from 5 November 2003.

Signed

29 October 2003
Date

Nerida Budd
District Manager
Delegate of Administering Authority
Environmental Protection Act 1994

Note: This document is not proof of the current status of the authority. The current status of the authority may be ascertained by contacting the Environmental Protection Agency.

ecoaccess
environmental licences and permits

Certificate of Registration

No: ENRE00683207

This registration certificate is issued by the Environmental Protection Agency and is a replacement document for the original approval—SR2494—issued on 5 November 2003.The anniversary day for the purposes of the Annual Return remains: 5 November.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities listed below at the following place; subject to the conditions set out in a development approval attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Raykim Pty Ltd
T/A Sunray Strawberries
75 Harrison Road
WAMURAN QLD 4512

Place	Location	Environmentally Relevant Activity
Lot 2 Plan RP177322	200 Childs Road, ELIMBAH QLD 4516	ERA 19(a) Dredging material - dredging material from the bed of any waters (other than dredging by a port authority of material for which a royalty or similar charge is not payable) using plant or equipment having a design capacity of not more than 5000 t a year. ERA 53 Soil conditioner manufacturing - commercially manufacturing soil conditioners (other than spent mushroom growing substrate by a mushroom grower) by receiving and blending, storing, processing, drying, or composting organic material or organic waste, including for example, animal manures, sewage, septic sludges and domestic waste, in works having a design production capacity of 200 t or more a year.

Dr Glen Brown
District Manager (Sunshine Coast)
Southern Region, EPA

3 July 2007

Environmental Protection Agency
www.epa.qld.gov.au ABN 87 221 158 786

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

THIS INTEGRATED AUTHORITY CONSISTS OF THE FOLLOWING PART(S):

Each part consists of conditions relevant to various issues.

Licence With Development Approval (Section 86) Part 1

19(a) Dredging material - Dredging material from the bed of any waters (other than dredging by a port authority of material for which a royalty or similar charge is not payable) using plant or equipment having a design capacity of not more than 5 000 t per year

53 Soil conditioner manufacturing - Commercially manufacturing soil conditioners (other than spent mushroom growing substrate by a mushroom grower) by receiving and blending, storing, processing, drying or composting organic material or organic waste, including, for example, animal manures, sewage, septic sludges and domestic waste, in works having a design production capacity of 200 t or more per year

at premises / place described as:

Lot 2 on RP177322

located at:

200 Childs Road, ELIMBAH QLD 4506

The aforementioned description of the ERA(s) for which this authority is issued is simply a restatement of the ERA(s) as prescribed in the legislation at the time of issuing the authority. Where there is any conflict between the above description of the ERA(s) for which this authority is issued and the conditions as specified in this authority as to the scale, intensity or manner of carrying out of the ERA(s) then such conditions prevail to the extent of the inconsistency.

The authority is issued subject to conditions as set out in the schedule(s) attached that form part of the integrated authority.

Licence With Development Approval (Section 86) Part 1

This part and its conditions must be considered in conjunction with any conditions imposed on development approval(s) granted under the Integrated Planning Act 1997 or its equivalent for the activities under this part.

Schedule A - General conditions

Integrated Environmental Management System (IEMS)

(A9-1) Prior to the commencement of any environmentally relevant activity ('the activities') under this environmental authority, the holder of this environmental authority must:

- develop an Integrated Environmental Management System (IEMS) which provides for the effective management by the holder of the actual and potential environmental impacts resulting from the carrying out of the activities; and
- implement and maintain the IEMS from the commencement of carrying out the activities.

(A9-2) The IEMS must provide for at least the following functions:

- Training staff in the awareness of environmental issues related to carrying out the activities, which must include at least:
  - The environmental policy of the holder, so that all persons that carry out the activities are aware of all relevant commitments to environmental management; and
  - Any relevant environmental objectives and targets, so that all staff are aware of the relevant performance objectives and can work towards these; and
  - Control procedures to be implemented for routine operations for day to day activities to minimise likelihood of environmental harm, however occasioned or caused; and
  - Contingency plans and emergency procedures to be implemented for non-routine situations to deal with foreseeable risks and hazards including corrective responses to prevent and mitigate environmental harm (including any necessary site rehabilitation); and
  - Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
  - Effective communication to ensure two-way communication on environmental matters between operational staff and higher management;
  - Their obligations in respect of monitoring, notification and record keeping obligations under the IEMS and relevant environmental authorities and/or development approvals; and
- Monitoring of the release of contaminants into the environment including procedures, methods, record keeping and notification of results;
- Conducting assessment of the environmental impact of any release of contaminants into the environment;
- Periodic conduct of energy audits and review of environmental performance and procedures adopted, not less frequently than three (3) years; and
- Waste prevention, treatment and disposal; and
- A program for continuous improvement.

(A9-3) The holder of this environmental authority must not implement or amend an IEMS (including any environmental management plan) that contravenes any condition of this environmental authority or any development condition applicable to carrying out the activities.

END OF CONDITIONS FOR SCHEDULE A

END OF Licence With Development Approval (Section 86) Part 1

Schedule H - Definitions

Words and phrases used throughout this licence or development approval are defined below:
Where a definition for a term used in this authority is sought and the term is not defined within this authority the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

Word Definitions

"administering authority" means the Environmental Protection Agency or its successor.

"site" means the place to which this environmental authority relates or the premises to which this development approval relates.

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

"this authority" means this environmental authority/development approval.

END OF DEFINITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

There are no attachments to this schedule.

END OF CONDITIONS FOR SCHEDULE I

END OF INTEGRATED AUTHORITY

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Sunshine Coast District Office
PO Box 168 COTTON TREE QLD 4558
Phone: (07) 5443 8940 Fax: (07) 5443 8942
www.env.qld.gov.au ABN: 87221158786

Notice of decision to grant integrated authority

Chapters 4, 5 and 6 *Environmental Protection Act 1994*

This statutory notice is issued by the administering authority pursuant to chapters 4, 5 and 6 of the Environmental Protection Act 1994, *to advise you of a decision or action.*

Enquiries to : Parma Nand
Telephone : (07) 3225 8922
Your reference :
Our reference : STH4898-MCY496

R W & G Johnston Pty Ltd
Hausler McDonald Whitelaw
Level 12A 307 Queen Street
BRISBANE QLD 4000

cc R W & G Johnston Pty Ltd
321 Morayfield Road
MORAYFIELD QLD 4506

Attention: Mr Rodney Johnston,

Re: Application for an integrated authority by R W & G Johnston Pty Ltd to carry out Environmentally Relevant Activity(ies) (ERA) under the *Environmental Protection Act 1994.*

Your application for an integrated authority, received by this office on 13 October 2003 has been granted.

A copy of the integrated authority No.SR2494 which includes the schedule of conditions, is attached.

This integrated authority takes effect from 5 November 2003

You may apply to the administering authority for a review of this decision within 14 days after receiving this notice. You may also appeal against this decision to the Planning and Environment Court.

Information outlining the review and appeal processes under the *Environmental Protection Act 1994* is included with this notice. This information is intended as a guide only You may have other legal rights and obligations.

Signed

29 October 2003
Date

Nerida Budd
District Manager
Delegate of Administering Authority
Environmental Protection Act 1994

Extracts from the Act Regarding Reviews and Appeals

Procedure for review

521.

(1) A dissatisfied person may apply for a review of an original decision.

(2) The application must-
- (a) be made in the approved form to the administering authority within-
  - (i) 14 days after the day on which the person receives notice of the original decision or the administering authority is taken to have made the decision (the "review date"); or
  - (ii) the longer period the authority in special circumstances allows not later than the review date; and
- (b) be supported by enough information to enable the authority to decide the application.

(3) On or before making the application, the applicant must send the following documents to the other persons who were given notice of the original decision-
- (a) notice of the application (the "review notice");
- (b) a copy of the application and supporting documents.

(4) The review notice must inform the recipient that submission on the application may be made to the administering authority within 7 days after the application is made to the authority.

(5) If the administering authority is satisfied the applicant has complied with subsection (2) and (3), the authority must, within 14 days after receiving the application-
- (a) review the original decision;
- (b) consider any submissions properly made by a recipient of the review notice; and
- (c) make a decision (the "review decision") to-
  - (i) confirm or revoke the original decision; or
  - (ii) vary the original decision in a way the administering authority considers appropriate.

(6) The application does not stay the original decision.

(7) The application must not be dealt with by-
- (a) the person who made the original decision; or
- (b) a person in a less senior office than the person who made the original decision.

(8) Within 14 days after making the decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.

(9) The notice must-
- (a) include the reasons for the review decision; and
- (b) inform the person of their right of appeal against the decision.

(10) If the administering authority does not comply with subsections (5) or (8), the authority is taken to have made a decision confirming the original decision.

(11) Subsection (7) applies despite section *Acts Interpretation Act 1954*, section 27A.

(12) This section does not apply to an original decision made by-
- (a) for a matter, the administration and enforcement of which has been devolved to a local government, the local government itself or the chief executive officer of the local government personally; or
- (b) for another matter-the chief executive personally.

Stay of operation of original decisions

522.

(1) If an application is made for review of an original decision, the applicant may immediately apply for a stay of the decision to-
- (a) for an original decision mentioned in schedule 1, part 1 - the tribunal; or
- (b) for an original decision mentioned in schedule 1, part 2 - the Court.

(2) The tribunal or Court may stay the decision to secure the effectiveness of the review and any later appeal to the tribunal or Court.

(3) A stay may be given on conditions the tribunal or Court considers appropriate and has effect for the period stated by the tribunal or Court.
(4) The period of a stay must not extend past the time when the administering authority reviews the decision and any later period the tribunal or Court allows the applicant to appeal against the review decision.

Who may appeal

531.
(1) A dissatisfied person who is dissatisfied with a review decision, other than a review decision to which subdivision 1 applies, may appeal against the decision to the Court.
(2) The chief executive may appeal against another administering authority 's decision (whether an original or review decision) to the Court.
(3) A dissatisfied person who is dissatisfied with an original decision to which section 521 does not apply may appeal against the decision to the Court.

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Notice of development application decision

Sections 3.5.11 and 3.5.15 *Integrated Planning Act 1997*

This notice is issued by the administering authority pursuant to sections 3.5.11 and 3.5.15 of the Integrated Planning Act 1997, to advise you of a decision or action.

Enquiries to : Parma Nand
Telephone : (07) 3225 8922
Your reference :
Our reference : STH4898 Vol 1/MCY496 Vol 1

R W & G Johnston Pty Ltd
321 Morayfield Road
MORAYFIELD QLD 4506

Attention: Rodney Johnston,

Re: Application (No. SR0463DA) for development approval by R W & G Johnston Pty Ltd for assessable activity to be carried out at a place situated at 200 Childs Road, ELIMBAH QLD 4506

Pursuant to part 1 and 2 of Schedule 1A of the *Integrated Planning Regulation 1998,* the Environmental Protection Agency is the assessment manager for the development application.

Assessment Manager information

Assessment Manager office:	Environmental Protection Agency
	Sunshine Coast District Office
Postal address:	PO Box 168
	COTTON TREE QLD 4558
Telephone:	(07) 5443 8940
Fax:	(07) 5443 8942

The Environmental Protection Agency, acting as assessment manager under the *Integrated Planning Act 1997* for your application, advises that the development application decision notice about development prescribed under a regulation under the *Environmental Protection Act 1994* for schedule 8 part 1 item 6 of the *Integrated Planning Act 1997* is attached.

Should you require any further information please do not hesitate to contact Parma Nand on either phone (07) 3225 8922 or e-mail: parma.nand@epa.qld.gov.au

Signed

29 October 2003
Date

Nerida Budd
District Manager
Delegate of Administering Authority
Environmental Protection Act 1994

Development application decision notice

Section 3.5.11 and 3.5.15 *Integrated Planning Act 1997*

Applicant:	R W & G Johnston Pty Ltd
EPA Development Application number:	SR0463DA
Date application received by EPA:	22 September 2003
Date of decision:	29 October 2003
Relevant Laws and Policies:	*Environmental Protection Act 1994* and subordinate legislation
Jurisdiction:	Part 1 & 2 of Schedule 1A of the *Integrated Planning Regulation 1998*

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

19(a) - Dredging material - Dredging material from the bed of any waters (other than dredging by a port authority of material for which a royalty or similar charge is not payable) using plant or equipment having a design capacity of not more than 5 000 t per year.

53 - Soil conditioner manufacturing - Commercially manufacturing soil conditioners (other than spent mushroom growing substrate by a mushroom grower) by receiving and blending, storing, processing, drying or composting organic material or organic waste, including, for example, animal manures, sewage, septic sludges and domestic waste, in works having a design production capacity of 200 t or more per year.

20(a) - Extraction of rock or other material - extracting rock (other than rock mined in block or slab form for building purposes), sand (other than foundry sand), clay (other than clay used for its ceramic properties, kaolin or bentonite), gravel, loam or other material (other than gravel, loam or other material under a mining tenement or an authority, lease, licence or permit mentioned in item 21C or 21D authority) from pits or quarries using plant or equipment having a design capacity of not more than 5 000 tonnes a year.

22(a) - Screening etc. materials - screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining tenement or an authority, lease, licence or permit mentioned in item 21C or 21D) or by dredging using plant or equipment having a design capacity of more than 5 0 tonnes, but less than 5 000 tonnes, a year.

at the following place(s):

Lot 2 on RP177322

located at:

200 Childs Road, ELIMBAH QLD 4506

Type of development

Material change of use of premises is:

- the start of a new use of the premises, and
- the re-establishment on the premises of a use that has been abandoned

Decision on Development Application

In deciding the application, the Environmental Protection Agency, as assessment manager approves all of the application subject to conditions decided by the assessment manager and includes in the approval any concurrence agency conditions as a development permit.

Further development permits required

Nil

Referral agencies

Concurrence Agencies:	Nil
Advice Agencies:	Nil
Referral Agencies:	Nil

Additional information for applicants

This approval pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any further approval for this development which might be required by other State and/or Commonwealth legislation. Applicants are advised to check with all relevant statutory authorities. Applicants also should comply with all relevant legislation.

It is a requirement of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined under schedule 2 of the *Environmental Protection Act 1994*) is being carried out on this land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming aware the activity is being carried out, give notice to the Environmental Protection Agency. A list of Notifiable Activities is provided within Schedule 2 of the *Environmental Protection Act 1994*.

Appeal

When issuing a decision notice under the *Integrated Planning Act 1997*, the assessment manager must state the rights of appeal for the applicant (section 3.5.15(2)(j)). The rights of appeal are attached to the back of this notice.

.....
Signed

29 October 2003
.....
Date

Nerida Budd
District Manager
Delegate of Administering Authority
Environmental Protection Act 1994

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 this development 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 authorises the ERA. It does not authorise environmental harm unless a concurrence agency condition within this development approval explicitly authorises that harm. Where there is no condition or the development approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

- Schedule A - Activity
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise and Vibration
- Schedule E - Waste Management
- Schedule F - Land
- Schedule G - Self Monitoring and Reporting
- Schedule H - Definitions
- Schedule I - Maps / Plans

Schedule A - Activity

Prevent and /or minimise likelihood of environmental harm

(A1) In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this approval.

NOTE: This approval authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this approval explicitly authorises that harm. Where there is no condition or the approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

Maintenance of measures, plant and equipment

(A2) The holder must:

- install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and
- maintain such measures, plant and equipment in a proper and efficient condition; and
- operate such measures, plant and equipment in a proper and efficient manner.

Operational management system

(A3) From commencement of the activity, an Operational Management System (OMS) must be implemented. The OMS must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The OMS must also provide for the review and 'continual improvement' in the overall environmental performance of all Environmentally Relevant Activities that are carried out.

Records

(A4) Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.

(A5) Records must be kept for five years, and must include the following information:

- date of pickup of waste;
- description of waste;
- cross reference to relevant waste transport documentation;
- quantity of waste;
- origin of the waste;
- destination of the waste; and
- intended fate of the waste, for example, type of waste treatment, reprocessing or disposal.

NOTE: Records of documents maintained in compliance with a waste tracking system established under the *Environmental Protection Act 1994* or any other law for regulated waste will be deemed to satisfy this condition.

Alterations

(A6) 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 substantial increase in the risk of environmental harm is an increase of 10% or more in the quality of the contaminant to be released into the environment.

Dredging

(A7) The only form of dredging to be carried out is for the purposes of extracting sand and gravel from the area shown in Figure 1 in Schedule I.

(A8) The only areas permitted to be dredged under this approval are those shown on the plan on Figure 1 in Schedule I .

(A9) The placement of dredged spoil may only occur to those areas designated on the plan on Figure 1 in Schedule I

(A10) The transport of dredged spoil must be by appropriate vehicles able to contain all dredged materials and associated water. All loads must be securely fixed and sealed to prevent loss of materials.

(A11) All vehicles leaving the premises must be free from loose materials picked up or attached to the vehicle.

(A12) The placement of sand processing plant equipment and dredged spoil may only occur to areas situated above the Q100 flood level within those areas designated on Figure 1 in Schedule I.

Acid sulphate soils (ASS)

(A13) The holder of this development approval must carry out a visual inspection of any licensed place/place with development approval where there are acid soils and surrounding areas following each rainfall event and/or on a monthly basis during dry periods to determine the presence of and assess the extend of:

(i) any unexplained scalding, degradation of death of vegetation (aquatic or terrestrial); and

(ii) any unexplained death or disease in aquatic organisms including invertebrates and fish; and

(iii) areas of green-blue water or extremely clear water; and

(iv) rust coloured deposits on plants and on the banks of drains, water bodies and watercourses.

(A14) A record of the visual inspection required by Condition (A13) must be kept at the place to which this development approval relates.

(A15) Acid sulfate soils must be managed such that contaminants are not be directly or indirectly released, as a result of the activity, to any waters or the bed and banks of any waters.

(A16) You must comply with the latest edition of the Queensland Environmental Protection Agency's INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULFATE SOILS, 2001, produced by the Queensland Environmental Protection Agency in consultation with the Department of Natural Resources and Mines and the Department of Primary Industries.

Cultural Heritage

(A17) The dredging activity and/or associated activities must not cause any disturbance to any items of cultural heritage in the area. If any items of cultural heritage are discovered during the dredging works, works must cease immediately and the appropriate authorities must be notified.

Buffer Distance

(A18) A buffer from the environmentally relevant activities at the site must be provided to each external boundary of the project. The buffer must:

(i) be a minimum width of 40 metres; and

(ii) Be of sufficient width to ensure the stability of adjacent lands and the banks of adjacent waterways and the structural integrity of the ponds on site; and

(iii) Be vegetated with local endemic riparian species.

(A19) Vegetation in the buffer must be progressively rehabilitated by supplementary plantings to establish a vegetated corridor, provide habitat for wildlife, stabilise pond walls and minimise erosion.

(A20) A weed control program must be implemented to progressively remove existing weeds from the buffer and to minimise future weed invasions.

(A21) The holder of this development approval must keep written records of the quantity of material:

(i) dredged from the bed of any waters under ERA 19 (a); and

(ii) extracted under ERA 20(a)

to ensure that the environmentally relevant activity 19(a) and 20(a) that were applied for, being not more than 5000 tonnes of material per year for each of those ERAs, have not been exceeded.

Notification

(A22) Notify the administering authority as soon as practicable when release of contaminants not in accordance with the conditions of this document or any event where environmental harm may be threatened.

(A23) Written advice must be provided within fourteen (14) days following any event as identified in condition number (A22) of the following information:

(i) the location of the event;
(ii) the time of the event;
(iii) the time the holder of this environmental authority became aware of the event;
(iv) the suspected cause of the event;
(v) actions taken to mitigate any environmental harm and or environmental nuisance caused by the event; and
(vi) proposed actions to prevent a recurrence of the event.

Restrictions

(A24) All new raw materials, which have a high odour potential, must be composted with at least a ratio of suitable organic material at a ratio of 4:1 (suitable organic material : raw material) unless it can be demonstrated by some process that the proposed trial will successfully control offensive odours if generated.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Noxious or Offensive Odour

(B1) Prevent the release of odour, dust and/or particulate matter, spray-drift, smoke, aerosols, or fumes, which cause or are likely to cause a nuisance. Nuisance includes the release of contaminants that are likely to be offensive to a person or a nuisance in the opinion of an authorised person.

(B2) Exceedence of any of the following levels when measured at any dust sensitive place is an environmental nuisance for the purposes of condition B2.

(i) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991; OR
(ii) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a dust sensitive place downwind of the site, when monitored in accordance with:
  (a) Australian Standard AS 3580.9.6 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method'; or
  (b) 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.

(B3) When requested by the Administering Authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include:

(i) for a complaint alleging dust nuisance, dust deposition; and
(ii) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.

Dust Control – Stockpiles

(B4) 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:

(i) use of water spray as required during winds likely to generate such releases;
(ii) use of dust-suppressant shielding; and
(iii) storage in bunkers.

Dust Control – Trafficable Areas

(B5) 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;

(i) keeping surfaces clean;
(ii) sealing with bitumen or other suitable material;
(iii) using water sprays;
(iv) adopting and adhering to speed limits; and
(v) using dust suppressants and wind breaks.

Dust and Particulate Emissions from Soil Conditioning Operations

(B6) The holder of this development approval must undertake all reasonable and practicable measures necessary to minimise wind-bourne dust and particulate matter emissions to the atmosphere from the place to which this development approval relates (licensed place). Such measures may include but are not limited to:

(i) forming soil conditioning beds, raw material mixing, blending and screening operations in calm weather conditions;
(ii) maintaining any 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 if required.

Dust Control – Transport Trucks

(B7) The holder of this development approval 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 to and from the place to which this development approval relates (licensed place). Reasonable and practicable measures may include but are not limited to:

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

(B8) 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 development approval relates (licensed place) if necessary, so as to ensure that dust and/or mud is not deposited on any public road by vehicles leaving the licensed place.

Noxious or Offensive Odour

(B9) Notwithstanding any other condition of this development approval no release of contaminants from the place to which this development approval relates (licensed place) is to cause a noxious or offensive odour beyond the boundaries of the licensed place.

(B10) The holder of this development approval must ensure that loads of odorous organic materials are covered during transport to and from the place to which this development approval relates (licensed place).

Dust and Particulate Emissions – Stabilisation and Rehabilitation

(B11) Stabilisation of disturbed areas and staged rehabilitation must be carried out in such a manner as to minimise releases of wind blown dust and erosion.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Monitoring

(C1) Monitoring must be undertaken and records kept for the parameters and not less frequently than specified in schedule C Table 1. All determinations of the quality of contaminants must be:

(i) made in accordance with methods prescribed in the latest edition of the Environmental Protection Agency Water Quality Sampling Manual; and
(ii) carried out on samples that are representative.

Schedule C – Table 1 (Operational Monitoring)

GROUNDWATER MONITORING		
MONITORING LOCATION	**PARAMETER**	**FREQUENCY**
1 and 2 on Figure 2	pH	Two (2) times a week
1 and 2 on Figure 2	Electrical Conductivity	Two (2) times a week
1 and 2 on Figure 2	Dissolved Oxygen	Once every three (3) months
1 and 2 on Figure 2	Total Aluminium and Dissolved Aluminium	Once every three (3) months
1 and 2 on Figure 2	Hardness (as $CaCO_3$)	Once every three (3) months
1 and 2 on Figure 2	Titratable Acidity	Once every three (3) months
1 and 2 on Figure 2	Total iron and Dissolved Iron	Once every three (3) months
1 and 2 on Figure 2	Sulfate Iron	Once every three (3) months
1 and 2 on Figure 2	Chloride Iron	Once every three (3) months
1 and 2 on Figure 2	Water Level (as m AHD)	Once every three (3) months

Lagoon Creek 1: A background sampling and in-situ monitoring point in Lagoon Creek that is not affected by this activity and is situated between 20 and 100 metres up-current from the activity (see Figure 2 in Schedule I for locations).

Lagoon Creek 2: A background sampling and in-situ monitoring point in Lagoon Creek that is not affected by this activity and is situated between 20 and 100 metres down-current from the activity (see Figure 2 in Schedule I for locations).

All background determinations must be made within 30 minutes of the measurement to which it is compared to.

Erosion protection measures and sediment controls

(C2) Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment. The size of any sedimentation pond must be sufficient to contain the run-off expected from a 24 hour storm with an average recurrence interval of 1 in 5 years.

(C3) Prevent the release of sediment to waters or a build up of sediment in any stormwater drain.

(C4) Water velocities through temporary watercourse diversions around works area must be maintained similar to pre-work velocities during such diversions, and must be re-instated once dredging works are completed.

(C5) Notwithstanding condition C2, all ponds used for the storage or treatment of contaminated waters must be installed and maintained with a freeboard of not less than 0.5 metres.

(i) The freeboard must be reinstated as soon as practicable after a rainfall event; and

(ii) The holder of the development approval must record daily rainfall levels using a rain gauge on site.

Releases to Waters

(C6) All water from the screening and processing of materials must be returned to the on-site extraction ponds or sediment ponds.

(C7) Contaminants must not be released from the site to which this development approval relates (licensed place) to any waters or the bed and banks of any waters.

Pond conditions

(C8) The water in all sediment ponds, dredge ponds (and all other water bodies) at the licensed place must be maintained at a pH between 6.5 to 8.5.

(C9) 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).

(C10) Suitable banks and/or diversion drains must be installed and maintained to exclude stormwater runoff from entering any ponds or other structures used for the storage or treatment of contaminants or wastes.

Groundwater

(C11) Water levels in excavation ponds must be maintained within one (1) metre of adjacent groundwater levels.

Final Lake Water Quality

(C12) After completion of activities on the site, the development approval holder must manage the final lake/s water quality:

(i) for at least three (3) years; or

(ii) until the water quality standards as required by condition C8 in Schedule C have been met on three consecutive sampling occasions, where the sampling occasions are not less than eight months apart; whichever is the longer.

Stormwater management

(C13) There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.

Sediment and Erosion Control

(C14) Leachate and stormwater runoff which has been in contact with wastes or contaminants on the place to which this development approval relates (licensed place), must not to be released to any stormwater drain or any waters (including groundwaters).

(C15) All contaminated stormwater runoff from the soil conditioner manufacturing and stockpiling areas must be collected and treated.

(C16) Drainage through and from all trafficable areas and production activities must be designed to minimise surface flow velocities.

Stormwater Management Plan

(C17) The holder of this development approval must implement an effective and appropriate Stormwater Management Plan which details how the holder of this development approval authority will manage the actual and potential environmental impacts resulting from the contamination of stormwater at the place to which this development approval relates (licensed place).

(C18) The Stormwater Management Plan must address at least the following matters:

(i) prevention of incident stormwater and stormwater runoff contacting wastes or contaminants;
(ii) diversion of upstream runoff away from areas containing wastes or contaminants;
(iii) minimisation of the size of contaminated areas;
(iv) cleaning of contaminated areas without water;
(v) installation of pollution control equipment such as oil separators, silt and rubbish traps, sedimentation dams, settling pits and stormwater diversion systems;
(vi) paving and roofing of contaminated areas; and
(vii) sampling and monitoring of contaminated stormwater released from a licensed place and assessment of the impact of any such release on the receiving environment.

(C19) A copy of the Stormwater Management Plan and any subsequent amendments to the Stormwater Management Plan must be kept at the place to which this development approval relates (licensed place) and be available for examination by an authorised person on request.

(C20) The holder of this development approval authority must not implement a Stormwater Management Plan or amend a Stormwater Management Plan where such implementation or amendment would result in contravention of any condition of this development approval.

(C21) The holder of this development approval must submit details of any subsequent amendment to the Stormwater Management Plan to the administering authority with the annual return which immediately follows the enactment of such amendment.

Pond conditions

(C22) Suitable banks and/or diversion drains must be installed and maintained to exclude stormwater runoff from entering any ponds or other structures used for the storage or treatment of contaminants or wastes.

Maintenance and Cleanup

(C23) The maintenance and clean up of vehicles and other equipment or plant must be carried out in areas from where contaminants cannot be released into any waters, roadside gutter or stormwater drainage system.

(C24) Any spillages of wastes, contaminants or other materials must be cleaned as quickly as practicable. Spillages 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.

(C25) All contaminated stormwater runoff which has been in contact with wastes or contaminants on the place to which this environmental authority relates, must not be released to any stormwater drain or any waters (including groundwaters).

(C26) All ponds used for the storage or treatment of contaminants or wastes must be designed, constructed and maintained so that they can contain contaminated stormwater runoff from a 1 in 10 years ARI 24 hours stormwater event.

(C27) A level indicator must be installed in each pond that indicates the ponds operating level. The operating level is the maximum pond level less the reserve volume required to meet condition C26.

(C28) All ponds used for the storage or treatment of contaminants or waste must be installed and maintained to prevent any discharge through the bed or the banks of the pond.

(C29) Where it is not practicable to prevent any release of contaminated runoff, the environmentally relevant activity must be carried out by such practicable means necessary to minimise any such release or the likelihood of any such release.

(C30) All ponds used for the storage or treatment of contaminants or waste must be constructed and maintained to ensure the stability of the ponds construction.

(C31) The holder of this environmental authority must take action as soon as reasonably practicable to reduce the level of stored contents to ensure that sufficient storage in accordance with condition (C30) is available, by disposal to the on site irrigation area or tinkered away and disposed of in a manner that does not cause or is likely to cause environmental harm.

(C32) The areas where the environmentally relevant activity is carried out must be graded to ensure water does not "pond" on site, except for designated areas for leachate and stormwater runoff containment.

(C33) The holder of this environmental authority must ensure that anaerobic conditions do not occur within the contaminated stormwater collection ponds.

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise and vibration

Noise nuisance

(D1) Noise from activities must not cause an environmental nuisance at any noise-affected premises.

(D2) All noise from activities must not exceed the levels specified in Schedule D - Table 1 at any noise-affected premises.

Schedule D - 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'					
$L_{A10, adj, 10 mins}$	50	40	30	45	40	30
$L_{A1, adj, 10 mins}$	55	45	35	50	45	35
	Noise measured at a 'Commercial place'					
$L_{A10, adj, 10 mins}$	55	45	35	50	45	35
$L_{A1, adj, 10 mins}$	60	50	40	55	50	40

Noise monitoring

(D3) 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:

- $L_{A\ 10,\ adj,\ 10\ mins}$
- $L_{A\ 1,\ adj,\ 10\ mins}$
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

(D4) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

END OF CONDITIONS FOR SCHEDULE D

Schedule E – Waste Management

General

(E1) 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.

(E2) The holder of this development approval must not:

(i) allow waste to burn or be burnt at or on the place to which this development approval relates (licensed place); or

(ii) remove waste from the place to which this development approval relates (licensed place) and burn such waste elsewhere.

(E3) The holder of this development approval must ensure that vehicles used for transport of regulated wastes to the place to which this development approval relates (licensed place) are licensed under the *Environmental Protection Act 1994*.

Regulated Waste Acceptance

(E4) The only regulated wastes accepted at the place to which this development approval relates (licensed place) for soil conditioner manufacture must be feathers and poultry waste derived from poultry growout facilities.

Public Health Issues

(E5) The holder of this development approval must take all reasonable and practicable measures necessary to ensure that the carrying out of the environmentally relevant activity does not cause any adverse effect on public health or any other nuisance, particularly in relation to propagation of diseases, fly breeding, mosquito breeding, and harbourage and/or breeding of rats and other pest organisms and/or vectors.

(E6) In the event of any adverse effect upon public health and/or any nuisance arising from the conduct of the environmentally relevant activity, the holder of the development approval must take all reasonable and practicable measures necessary to:

(i) abate such adverse effects and such nuisance; and
(ii) prevent the likelihood of any recurrence of the circumstances which gave rise to such adverse effects and/or such nuisance.

END OF CONDITIONS FOR SCHEDULE

Schedule F - Land

Land rehabilitation

(F1) The authorised place must be rehabilitated (including all disturbed areas such as slopes, borrow pits, stockpile and screening areas) in a manner such that:

- suitable native species of vegetation are planted and established;
- potential for erosion of the site is minimised;
- the quality of stormwater, water and seepage released from the site is such that releases of contaminants such as suspended solids, turbidity, total dissolved salts, pH, total iron, total aluminium, and total manganese are not likely to cause environmental harm;
- the likelihood of environmental nuisance being caused by release of dust is minimised;
- the water quality of any residual water bodies meets criteria for subsequent uses and does not have potential to cause environmental harm;
- the final landform is stable and not subject to slumping; and
- any actual and potential acid sulfate soils in or on the site are either not disturbed; or, submerged, or treated so as to not be likely to cause environmental harm.

(F2) Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of extraction are commenced.

Preventing contaminant release to land

(F3) Contaminants must not be released to land.

(F4) Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

Composting Facility Design and Operating Criteria

(F7) Storing of raw materials, windrow composting, compost remixing, blending and screening operations must be carried out on a hardstand pad, constructed of compacted clay or other low permeable material to minimise infiltration, graded and bunded to avoid rainwater ponding and facilitate collection of leachate and contaminated stormwater runoff in the wastewater storage ponds.

(F8) The composting process must be undertaken at the licensed place in a manner which ensures that the frequency of turning cycles, causes sufficient heat production to achieve pathogen destruction in compliance with the levels specified in Schedule F – Table 1.

(F9) Notwithstanding Condition F8, as a minimum, windrows must be subjected to a composting process at the licensed place, for not less than six (6) weeks. Windrows must be turned at least twice each week for the first two (2) weeks and then at least once (1) each week thereafter, until the biological degradation of the materials in the windrows is complete.

(F10) To facilitate the destruction of pathogens, all materials being composted must be subjected to a pasteurising temperature of either:

(i) not less than 55°C for three (3) consecutive days; or
(ii) between 50°C and 55°C for twelve (12) days.

(F11) To ensure that all composted materials are subjected to the pasteurising temperatures and time periods prescribed in condition F10, a minimum temperature of 50°C must be maintained within any composting windrow(s) for a period of not less than six (6) weeks.

Quality Characteristics of Final Products

(F12) Organic products derived from composting activities must not exceed the quality characteristics listed in Schedule F – Table 1.

SCHEDULE F - TABLE 1 - QUALITY CHARACTERISTICS LIMITS

QUALITY CHARACTERISTIC	LIMIT
E. coli	<100 MPN/gram
Faecal coliforms	<1000 MPN/gram
Salmonella sp.	Not Detected / 50 grams of final product

(Note: MPN means Most Probable Number).

Public Health issues

(F13) The holder of this environmental authority must take all reasonable and practicable measures necessary to ensure that the carrying out of the environmentally relevant activity does not cause any adverse effect on public health or any nuisance, particularly in relation to propagation of diseases, fly breeding, mosquito breeding, and harbourage and/or breeding of rats and other pest organisms and/or vectors.

(F14) In the event of any adverse effect upon public health and/or any nuisance arising from the conduct of the environmentally relevant activity, the holder of the environmental authority must take all reasonable and practicable measures necessary to:

(i) abate such adverse effects and such nuisance;
(ii) prevent the likelihood of any recurrence of the circumstances which gave rise to such adverse effects and/or such nuisance.

END OF CONDITIONS FOR SCHEDULE F

Schedule G – Self Monitoring and Reporting

Complaint Recording

(G1) All complaints received by the holder of this development approval relating to releases of contaminants from operations at the place to which this development approval relates (licensed place) 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) action taken as a result of the complaint investigation and a signature of responsible person;
(vi) name of person responsible for investigating complaint.

(G2) In consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the site specifically, or the industrial estate where the site is located.

Incident Recording

(G3) A record must be maintained of events including but not limited to:

(i) any fire at the place to which this development approval relates (licensed place);
(ii) any release of leachate or stormwater runoff which has been in contact with any raw materials, wastes and contaminants used for, and/or resulting from, carrying out any activity on the place to which this development approval relates (licensed place) to the receiving waters;
(iii) Detection by the environmental monitoring program of any release of contaminants not likely to be in accordance with the conditions of this development approval; and
(iv) Incidents which have adverse public health consequences and/or cause nuisance including time, date, duration and nature of the incident.

Notification of Emergencies and Incidents

(G4) As soon as practicable, but not more than three (3) months following the conduct of any environmental monitoring performed in relation to the emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this development approval, the holder of this development approval must provide written advise of the results of any such environmental monitoring performed.

(G5) The notification of emergencies or incidents as required by condition G4 must include but are not limited to the following:

(i) the holder of the development approval;
(ii) the location of the emergency or incident;
(iii) the number of the development approval;
(iv) the name and telephone number of the designated contact person;
(v) the time of the release;
(vi) the time the holder of the development approval became aware of the release;
(vii) the suspected cause of the release;
(viii) the environmental harm and/or environmental nuisance caused, threatened, or suspected to be caused by the release; and
(ix) actions taken to prevent further any release and mitigate any environmental harm and/or environmental nuisance caused by the release

(G6) Not more than 14 days following the initial notification of an emergency or incident, the holder of the development approval must provide written advise of the information supplied in accordance with condition G5 in addition to:

(i) proposed actions to prevent a recurrence of the emergency or incident;
(ii) outcomes of actions taken at the time to prevent or minimise environmental harm and/or environmental nuisance.

Noise Monitoring

(G7) 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:

- LA 10, adj, 10 mins
- LA 1, adj, 10 mins
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

(G8) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

(G9) 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 holder of this development approval must undertake noise monitoring to investigate such a complaint upon written request from the administering authority.

(G10) The measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.

(G11) Records must be kept of the results of all monitoring of noise levels and the other information required to be recorded in conjunction with such monitoring for a period of at least three (3) years.

Ambient Particulate Monitoring

(G12) 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 holder of this development approval

(G13) The dust fallout monitoring program must be carried out at a sufficient number of monitoring points and selected having regard to:

(i) locations of dust sources;
(ii) locations of persons potentially affected by any release of dust from the environmentally relevant activity; and
(iii) prevailing wind conditions.

(G14) The samples must be collected and analysed in accordance with the requirements of Australian Standard AS3580.10.1-1991 for Ambient Air – Particulate Matter.

(G15) All measurements and reporting of particulates in ambient air must be performed by a person or body possessing appropriate experience and qualifications to perform the required measurements.

Exception Reporting

(G16) The holder of this development approval must notify the administering authority in writing of any monitoring result which indicates an exceedance of any license limit within 28 days of completion of analysis.

(G17) The written notification required by Condition G16 must include:

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

Monitoring Reporting

(G18) The holder of this development approval must ensure that the results of monitoring performed in accordance with the conditions G4 and G16 for the period covered by the return are submitted with the annual return.

Compost Windrow/Batch Temperature Monitoring

(G19) For the purposes of checking compliance with conditions F10 and F11 monitoring and recording of the temperature of each windrow, must be undertaken.

(G20) Monitoring as described in condition G19 must be conducted throughout the whole profile of each windrow, at 30cm below the surface, then at 30cm increments to the centre.

Monitoring of Finished Composted Products

(G21) Every 100 dry weight tonnes of finished soil conditioning product which has chicken litter as a constituent, must be appropriately sampled by obtaining one composite sample consisting of (5) five individual grab samples and analysed for the characteristics specified in Schedule F – Table 1, prior to leaving the licensed place.

(G22) All determinations of the quality of the characteristics must be performed by a person or body possessing appropriate experience and qualifications to perform the required sampling and/or measurements.

(G23) Records must be kept of the monitoring of products as required by condition G21.

Groundwater Monitoring

(G24) A groundwater monitoring program must be developed and implemented to monitor the quality of groundwater down gradient of the irrigation area. The program must include a sufficient number of wells installed at locations and depths, which yield representative groundwater samples from the uppermost aquifer and that, establish:

(i) groundwater quality hydraulically-down gradient of the contaminant release areas at that licensed place.
(ii) Groundwater quality hydraulically-up gradient of the contaminant release areas at that licensed place.

(G25) The groundwater monitoring program referred to in condition G24 must be developed by a person possessing appropriate qualifications and experience in the fields of hydrology and groundwater monitoring program design to be able to competently make recommendations about these matters.

(G26) Locations for groundwater monitoring facilities must be given with reference to horizontal coordinates of such facilities accurate to 1.0 metre.

(G28) The holder of this environmental authority must monitor and record the quality of ground water to detect any possible release(s) of contaminants for, at least the following water quality characteristics:

(i) pH;
(ii) Electrical conductivity;
(iii) Total dissolved solids;
(iv) Sodium;
(v) Calcium;
(vi) Chloride;
(vii) Nitrate;
(viii) Nitrite;
(ix) Total phosphorus; and
(x) Total nitrogen.

(G29) The holder of this environmental authority must monitor groundwater quality as often as necessary but not less frequently than:

(i) once every three months for the first year; and
(ii) once every six months thereafter.

(G30) On any occasion that groundwater samples are obtained, the holder of this environmental authority must measure and record standing groundwater levels in metres, accurate to 0.01 metre.

(G31) All determinations of the quality of groundwater must be made in accordance with methods prescribed in the "Water Quality Sampling Manual, 3rd Edition, December 1999", published by the Enviromental Protection Agency, or more recent additions or supplements to that document as such become available.

(G32) All monitoring wells must be maintained in an operative condition and be reasonably accessible at all times to any authorised person.

(G33) Each groundwater monitoring well must be fitted with a locked cap at all times other than at the time of sampling.

(G34) If the water quality results from the groundwater monitoring program, referred to in condition G33 exceed 750ug/L of total nitrogen and 100ug/L of total phosphorus then the holder of this environmental authority must provide written notification of the exceedance to the administering authority within fourteen (14) days.

Monitoring of Contamination Releases to Land (excluding waters)

(G35) For the purposes of checking conformity with condition F7 of the land application schedule, the holder of this environmental authority must be responsible for the making of determinations of the quality of the contaminants released. Such determinations must be performed for at least the following characteristics:

(i) 5-day biochemical oxygen demand;
(ii) suspended solids;
(iii) pH; and
(iv) dissolved oxygen.

(G36) The determinations of the quality of contaminants released to check conformity with condition G35 of the land application schedule must be undertaken at the monitoring and in-situ measurement point described as wastewater irrigation release point.

(G37) The determinations of the quality of contaminants released must be performed prior to discharge to check that the conditions of this environmental authority are being complied with.

(G38) All determinations of the quality of contaminants released to the land must be made in accordance with methods prescribed in the Department of Environment and Heritage Water Quality Sampling Manual, 2nd Edition, February 1995, or more recent additions or supplements to that document as such become available.

(G39) All determinations of the quality of contaminants released must be performed by a person or body registered by the National Association of Testing Authorities (NATA) for the required determinations.

END OF CONDITIONS FOR SCHEDULE G

Schedule H - Definitions

Words and phrases used throughout this licence or development approval are defined below:
Where a definition for a term used in this approval is sought and the term is not defined within this approval the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

Word Definitions

(H1) "Act" means the Environmental Protection Act 1994.

(H2) "administering authority" means the Environmental Protection Agency or its successor.

(H3) "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 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 15 minutes, using Fast response.

(H4) "commercial place" means a place used as an office or for business or commercial purposes.

(H5) "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.

(H6) "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 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 Application to Specific Situations or supplements to that document as they become available.

(H7) "$L_{A\ 10,\ adj,\ 10\ mins}$" 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.

(H8) "$L_{A\ 1,\ adj,\ 10\ mins}$" 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

(H9) "$L_{A,\ max\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

(H10) "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 place to which this development approval relates (licensed place) which contains soluble, suspended or miscible contaminants likely to have been derived from the said material.

(H11) mg/kg means milligrams per kilogram where values are expressed on a dry weight basis.

(H12) "noxious" means harmful or injurious to health or physical well being.

(H13) "noise sensitive place" means -

(a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or
(b) a motel, hotel or hostel; or
(c) a kindergarten, school, university or other educational institution; or
(d) a medical centre or hospital; or
(e) a protected area; or
(f) a park or gardens.

(H14) "odour sensitive place" has the same meaning as a "dust sensitive place"

(H15) "nuisance sensitive place" includes -

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

and includes a place within the curtilage of such a place reasonably used by persons at that place.

(H16) "offensive" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

(H17) "public contact sites" means land with a high potential for contact by the public. This includes, but is not limited to public parks, fields, cemeteries, plant nurseries and golf courses.

(H18) "regulated waste" means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* (whether or not it has been treated or immobilised), and includes:

(a) for an element - any chemical compound containing the element; and
(b) anything that has contained a regulated waste.

(H19) "restricted use 1" means final product for the following allowable land application uses:

(a) public contact sites;
(b) urban landscaping;
(c) agriculture;
(d) forestry; and
(e) soil and site rehabilitation.

(H20) "restricted use 2" means final product for the following allowable land application uses:

(a) agriculture;
(b) forestry; and
(c) soil and site rehabilitation.

(H21) "site" means the place to which this environmental authority relates or the premises to which this development approval relates.

(H22) "unrestricted use" means final product for the following allowable land application uses:

(a) home lawns and gardens;
(b) public contact sites;
(c) urban landscaping;
(d) agriculture;
(e) forestry; and
(f) soil and site rehabilitation.

(H23) "waters" includes the bed and/or banks of any water(s), stormwater runoff and any part of a river, stream, lake, lagoon, pond, dam, swamp, wetland, unconfined surface water, underground water, unconfined water, natural or artificial watercourse, non tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter.

(H24) "you" means the holder of this Environmental Authority or owner / occupier of the land which is the subject of this Development Approval.

(H25) "noise affected premises" means a "noise sensitive place" or a "commercial place"

(H26) "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.

(H27) "protected area" means -

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

(H28) "dredge spoil" means material taken from the bed or banks of waters by using dredging equipment or other equipment designed for use in extraction of earthen material.

(H29) "land" in the "land schedule" of this document means land excluding waters and the atmosphere.

(H30) "mg/L" means milligrams per litre.

(H31) "NTU" means nephelometric turbidity units

(H32) "licensed vehicle" means a vehicle authorised to be used under the licence to transport regulated waste.

(H33) "registered vehicle" means "licensed vehicle"

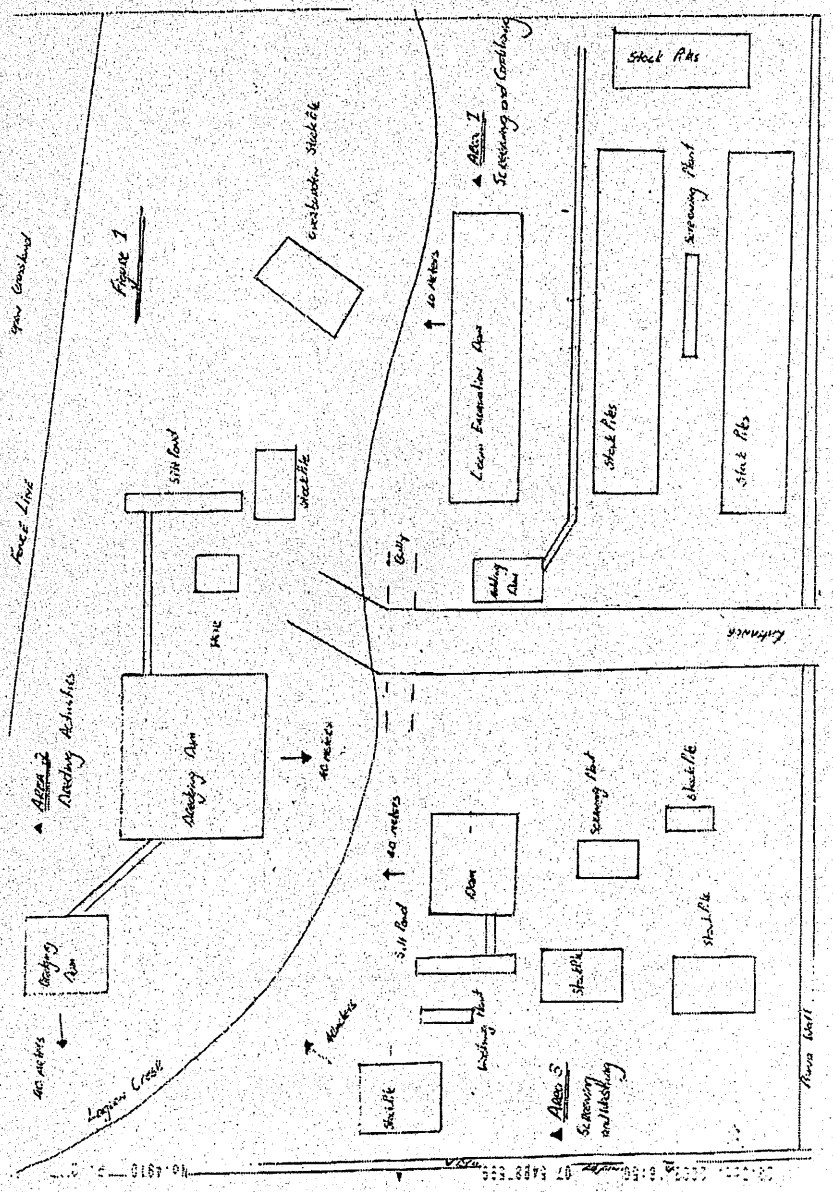
(H34) "annual return" means the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the development approval.

END OF DEFINITIONS FOR SCHEDULE H

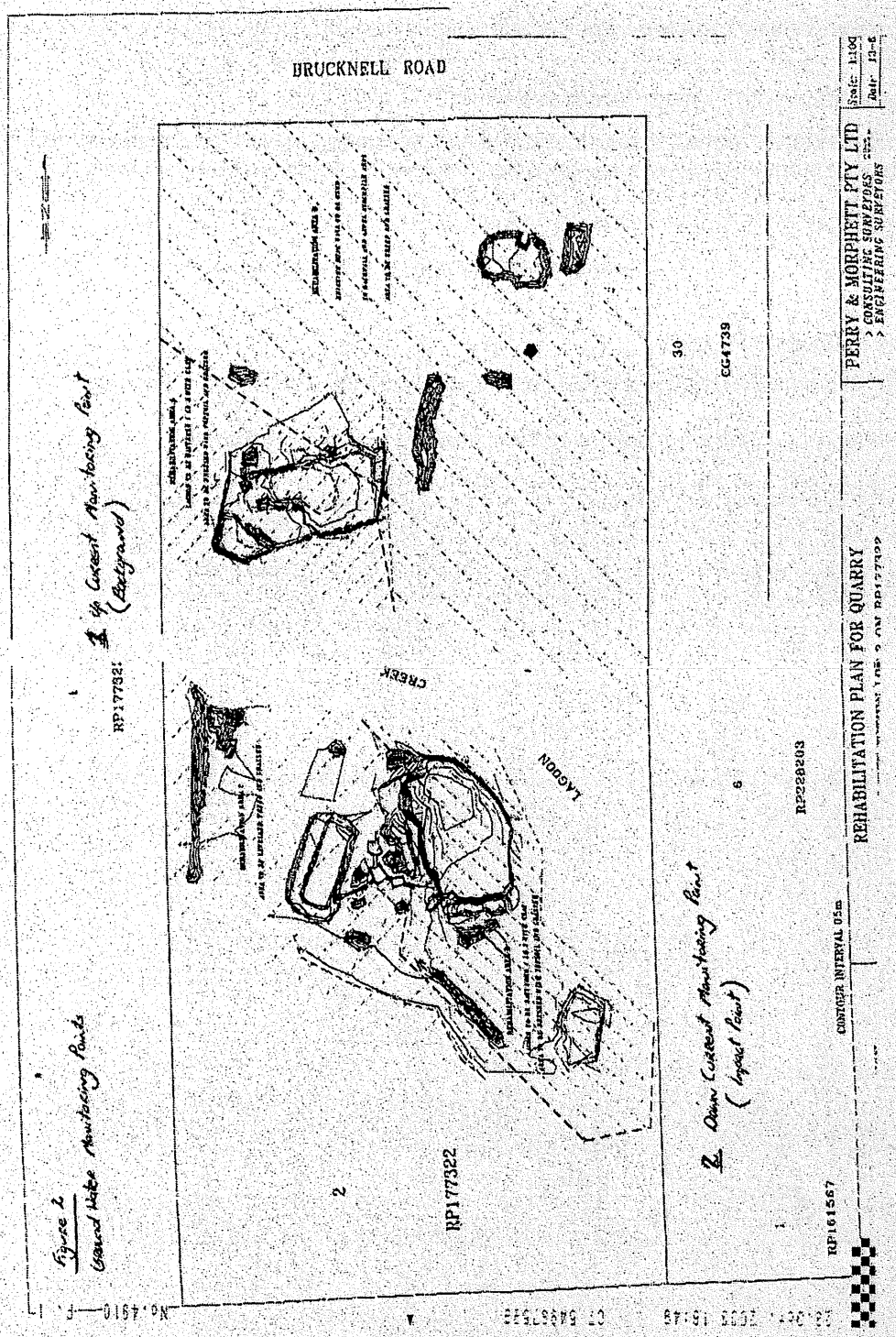
Schedule I - Maps / Plans

The following attachments to this schedule include:(change this text to fit your needs)

(i) Figure 1 – Showing locations of the activities and buffer distance.



(ii) Figure 2 – Showing Ground Water Monitoring Points 1 and 2.



END OF CONDITIONS FOR SCHEDULE I

END OF DEVELOPMENT APPROVAL

Extract from the *Integrated Planning Act 1997*

Division 8—Appeals to court relating to development applications

Appeals by applicants

4.1.27 (1) An applicant for a development application may appeal to the court against any of the following -

(a) the refusal, or the refusal in part, of a development application;
(b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6;
(c) the decision to give a preliminary approval when a development permit was applied for;
(d) the length of a currency period;
(e) a deemed refusal.

(2) An appeal under subsection (1)(a) to (d) must be started within 20 business days (the **"applicant's appeal period"**) after the day the decision notice or negotiated decision notice is given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

Appeals by submitters

4.1.28 (1) A submitter for a development application may appeal to the court about -

(a) the giving of a development approval, including any conditions (or lack of conditions) or other provisions of the approval; or
(b) the length of a currency period for the approval.

(2) The appeal must be started within 20 business days (the **"submitter's appeal period"**) after the day the decision notice or negotiated decision notice is given to the submitter.

(3) If a person withdraws a submission before the application is decided, the person may not appeal the decision.

(4) If an application involves both impact assessment and code assessment, appeal rights for submitters are available only for the part of the application involving impact assessment.

Appeals by advice agency submitters

4.1.29 (1) An advice agency may, within the limits of its jurisdiction, appeal to the court about the giving of a development approval for a development application if -

(a) the development application involves impact assessment; and
(b) the advice agency told the applicant and the assessment manager to treat its response to the application as a submission for an appeal.

(2) The appeal must be started within 20 business days after the day the decision notice or negotiated notice is given to the advice agency as a submitter.

Appeals for matters arising after approval given (co-respondents)

4.1.30 (1) For a development approval given for a development application, a person to whom any of the following notices have been given may appeal to the court against the decision in the notice -

(a) a notice giving a decision on a request for an extension of the currency period for an approval;
(b) a notice giving a decision on a request to make a minor change to an approval.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

(3) Subsection (1)(a) does not apply if the approval resulted from a development application (superseded planning scheme) that was assessed as if it were an application made under a superseded planning scheme.

Division 9 - Appeals to court about other matters

Appeals for matters arising after approval given (no co-respondents)

4.1.31 (1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice -

(a) a notice giving a decision on a request to change or cancel a condition of a development approval;
(b) a notice under section 6.1.44 giving a decision to change or cancel a condition of a development approval.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Appeals against enforcement notices

4.1.32 (1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.

(2) The appeal must be started within 20 business days after the day notice is given to the person.

Stay of operation of enforcement notice

4.1.33 (1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until -

(a) the court, on the application of the entity issuing the notice, decides otherwise; or
(b) the appeal is withdrawn; or
(c) the appeal is dismissed.

(2) However, subsection (1) does not apply if the enforcement notice is about -

(a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or
(b) carrying out development that is the demolition of a work.

Appeals against decisions on compensation claims

4.1.34 (1) A person who is dissatisfied with a decision under section 5.4.8 or 5.5.3 for the payment of compensation may appeal to the court against -

(a) the decision; or
(b) a deemed refusal of the claim.

(2) An appeal under subsection (1)(a) must be started with 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

Appeals against decisions on requests to acquire designated land under hardship

4.1.35 (1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 2.6.19, may appeal to the court against -

(a) the decision; or
(b) a deemed refusal of the request.

(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

Appeals from tribunals

4.1.37 (1) A party to a proceeding decided by a tribunal may appeal to the court against the tribunal's decision, but only on the ground -

(a) of error or mistake in law on the part of the tribunal; or
(b) that the tribunal had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.

(2) An appeal against a tribunal's decision must be started within 20 business days after the day notice of the tribunal's decision is given to the party.

Court may remit matter to tribunal

4.1.38 If an appeal includes a matter within the jurisdiction of a tribunal and the court is satisfied the matter should be dealt with by a tribunal, the court must remit the matter to the tribunal for decision.

Division 10 - Making an appeal to court

How appeals to the court are started

4.1.39 (1) An appeal is started by lodging written notice of appeal with the registrar of the court.

(2) The notice of appeal must state the grounds of the appeal.

(3) The person starting the appeal must also comply with the rules of the court applying to the appeal.

(4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

Certain appellants must obtain information about submitters

4.1.40 (1) If the applicant or a submitter for a development application appeals about the part of the application involving impact assessment, the appellant must ask the assessment manager to give the appellant the name and address of each principal submitter who made a properly made submission about the application and has not withdrawn the submission.

(2) The assessment manager must give the information requested under subsection (1) as soon as practicable.

Notice of appeal to other parties (div 8)

4.1.41 (1) An appellant under division 8 must, within 10 business days after the day the appeal is started (or if information is requested under section 4.1.40, within 10 business days after the day the appellant is given the information) give written notice of the appeal to -

(a) if the appellant is an applicant - the assessment manager, any concurrence agency, any principal submitter whose submission has not been withdrawn and any advice agency treated as a submitter whose submission has not been withdrawn; or
(b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal - the assessment manager, the applicant and any concurrence agency; or
(c) if the appellant is a person to whom a notice mentioned in section 4.1.30 has been given - the assessment manager and any entity that was a concurrence agency for the development application.

(2) The notice must state -

(a) the grounds of the appeal; and
(b) if the person given the notice is not the respondent or a co-respondent under section 4.1.43 - that the person, within 10 business days after the day the notice is given, may elect to become a co-respondent to the appeal.

Notice of appeal to other parties (div 9)

4.1.42 (1) An appellant under division 9 must, within 10 business days after the day the appeal is started give written notice of the appeal to -

(a) if the appellant is a person to whom a notice mentioned in section 4.1.31[73] has been given - the entity that gave the notice; or
(b) if the appellant is a person to whom an enforcement notice is given - the entity that gave the notice and if the entity is not the local government, the local government; or
(c) if the appellant is a person dissatisfied with a decision about compensation - the local government that decided the claim; or
(d) if the appellant is a person dissatisfied with a decision about acquiring designated land - the designator; or
(e) if the appellant is a person who is disqualified as a private certifier - the entity disqualifying the person and if the entity disqualifying the person is not the accrediting body, the accrediting body; or
(f) if the appellant is a party to a proceeding decided by a tribunal - the other party to the proceeding.

(2) The notice must state the grounds of the appeal.