Queensland Government

Department of
**Environment and Heritage Protection**

29-FEB-2016

National Tractors Pty Ltd
PO Box 1135
PARADISE POINT QLD 4216

Our reference: 389745

**Application details**

I refer to the application that was received by the administering authority on 24-FEB-2016.

Land description: Peak Downs Highway, Nebo QLD 4742 Lot 59 Plan WHS9.

**Decision**

Your application has been approved and your environmental authority (reference EPPR01692613) is attached.

**Additional comments or advice:** You are advised that if you are not the owner of the land to which the environmental authority relates, you have 10 business days from receipt of this environmental authority to give each owner of the land, written notice that you have been issued this environmental authority.

Should you have any further enquiries, please contact Permit and Licence Mangement on telephone 1300 130 372 option 4.

Yours sincerely

| | |
|---|---|
|  | 29/02/2016 |
| Signature | Date |

Jodie Brackenbury
Department of Environment and Heritage Protection
Delegate of the administering authority
*Environmental Protection Act 1994*

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: (07) 3330 5875
Email: palm@ehp.qld.gov.au
Website **www.ehp.qld.gov.au**
ABN 46 640 294 485

**Enclosed**

Permit - environmental authority (reference EPPR01692613)

# Permit[1]

***Environmental Protection Act 1994***

## Environmental authority

*This environmental authority is issued by the administering authority under Chapter 5 of the* Environmental Protection Act 1994.

## Permit[1] number: EPPR01692613

**Environmental authority takes effect on 28-FEB-2016.**

The anniversary date of this environmental authority remains 8 November

An annual return and the payment of the annual fee will be due each year on this day.

**Environmental authority holder(s)**

| Name | Registered address |
|---|---|
| National Tractors Pty Ltd | Level 3<br>68 Marine Parade<br>SOUTHPORT QLD 4215 |

## Environmentally relevant activity and location details

| Environmentally relevant activity(ies) | Location(s) |
|---|---|
| 16-(2a) Extractive >5000t but <100000t yr<br>16-(3a) Screening >5000t but <100000t yr | Peak Downs Highway and Nebo QLD 4742 - Lot 59 Plan WHS9 |

**Additional information for applicants**

Environmentally relevant activities

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

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.

| | |
|---|---|
|  | 29/02/2016 |
| Signature | Date |

Department of Environment and Heritage Protection
Delegate of the administering authority
*Environmental Protection Act 1994*

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

**Obligations under the *Environmental Protection Act 1994***

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

**Conditions of environmental authority**

With the exception of any variations, the conditions of approval for this environmental authority are site-specific and are listed below:

**Location:** Peak Downs Highway and Nebo QLD 4742

**Lot Plan:** Lot 59 Plan WHS9

**Relevant activities:**

16-(2a) Extractive >5000t but <100000t yr
16-(3a) Screening >5000t but <100000t yr

The environmentally relevant activities conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

**LIST OF SCHEDULES:**

**Schedule A: General**

**Schedule B: Air**

**Schedule C: Water**

**Schedule D: Land**

**Schedule E: Waste**

**Schedule F: Noise**

**Schedule G: Monitoring and Reporting**

**Schedule H: Community**

**Schedule I: Plan of the Development**

**Schedule J: Definitions**

## SCHEDULE A: GENERAL

### Scope

**(A1)** This development permit authorises extractive and screening activities on Lot 59 on WHS9 (hereafter referred to as "the authorised place" as depicted in **Schedule I: Drawing number MCQH001/SK01**.

**(A2)** The total permitted volumes of materials to be extracted and screened at the authorised place are as follows:

(a) screening of no more than 50 000 tonnes per annum of material; and

(b) extraction of no more than 50 000 tonnes per annum of material.

**(A3)** This development permit authorises the storage of a maximum of 70 000 litres of diesel fuel at the authorised place.

### Copy of Development Approval Must Be Kept At Approved Place

**(A4)** A copy of this development permit must be kept at the approved place.

### Site Based Management Plan

**(A5)** From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out.

**(A6)** An up to date copy of the SBMP must be kept at the approved place to which the plan relates and be available to the administering authority on request.

### Sample Analysis

**(A7)** All analyses and tests required to be conducted under this development permit must be carried out by a laboratory that has a suitable certification for such analyses and tests.

### Definitions

**(A8)** Words and phrases used in this development permit are defined in **Schedule J – Definitions**. Where a definition for a term used in this development permit is not defined within this permit, the definitions in the *Environmental Protection Act 1994*, its Regulation and Environmental Protection Policies must be used.

**END OF CONDITIONS FOR SCHEDULE A**

## SCHEDULE B: AIR

### Nuisance

**(B1)** The release of noxious or offensive odours or any other airborne contaminant resulting from an ERA to which this development permit relates must not cause an environmental nuisance, or serious or material environmental harm.

### Dust Control - Stockpiles

**(B2)** Stockpiles must be maintained using all reasonable and practicable measures necessary to minimise the release of windblown dust or particulate matter to the atmosphere.

### Loss of Materials during Transit

**(B3)** The Registered Operator must use all reasonable and practicable measures necessary to prevent spillage and/or loss of particulate matter or windblown contaminants from vehicles used for the transport of extracted material from the authorised place.

### Reasonable Adjustment of Practices, Procedures or Infrastructure for Resolving Nuisance Complaints

**(B4)** The person undertaking the activity to which this approval relates must investigate, or commission the investigation of, any complaints of nuisance caused by noxious or offensive odours or airborne contaminants and, if these complaints are validated, make reasonable and appropriate adjustments to processes or equipment to prevent a recurrence of the nuisance and provide a report associated with the investigation within fourteen (14) days of completion of the investigation to the administering authority

**END OF CONDITIONS FOR SCHEDULE B**

## SCHEDULE C: WATER

### Release to Waters

**(C1)** An ERA to which this development permit relates must not release contaminants to waters, a roadside gutter or stormwater drainage, except as specifically authorised within this development permit.

### Contaminant Release

**(C2)** Water is only permitted to be released from the site from the sediment dam shown on **Drawing number Drawing number MCQH001/SK01**and included in **Schedule I** of this Permit.

**(C3)** The release of contaminants must not:

(a) produce any slick, discoloration of ambient waters or visible evidence of oil or grease, nor contain visible floating oil, grease, coal particles, scum, litter or other objectionable matter; or

(b) have any other properties nor contain any other contaminants in concentrations that are likely to cause environmental harm with due consideration to the environmental values of the aquatic ecosystem as defined in the Environmental Protection (Water) Policy 2009.

**Erosion and Sediment Control**

**(C4)** Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment to stormwater and waters at all times.

**On site water storages**

**(C5)** All surface water run-off from areas where extraction is taking place must report to a sedimentation dam.

**(C6)** Reasonable and practicable measures must be taken to prevent overtopping of the sedimentation dam at the authorised place.

**Monitoring of Water Storage Quality**

**(C7)** Water storages associated with the release points must be monitored for the water quality characteristics specified in **Schedule C – Table 1.**

**Schedule C – Table 1: Onsite water storage additional monitoring parameters for investigation**

| Quality Characteristic | Investigation level (greater than) | Frequency of monitoring |
|---|---|---|
| Electrical conductivity (µS/cm) | 250 | Quarterly (every 3 months) or monthly when the freeboard of the sedimentation dam is less than 0.5m |
| Petroleum hydrocarbons (C6-C9) (µg/L) | 50 | |
| Petroleum hydrocarbons (C10-C36) (µg/L) | 100 | |
| Chlorophyll a (µg/L) | 5 | |
| Turbidity (NTU) | 50 | |

**(C8)** Following the exceedance of any Investigation Level in **Schedule C – Table 1** the permit holder must complete an investigation into the potential for environmental harm and provide a written report to the administering authority within one month of receiving the results outlining:

a) details of the investigation carried out; and

b) actions taken to prevent environmental harm.

**Notification of Release Event**

**(C9)** The Registered Operator must notify the administering authority with twenty-four (24) hours of becoming aware of a release from the sedimentation dam.

**(C10)** The Registered Operator must submit a report to the administering authority within twenty-eight (28) days of a release. The report must include, but not be limited to, the following information:

(a) release date/time;

(b) reason for the release;

(c) rainfall volume during the month prior to release;

(d) an estimation of the volume of water released;

(e) any water quality monitoring results; and

(f) the effect on environmental values due to the water release event.

**Groundwater**

**(C11)** Contaminants must not be directly or indirectly released to groundwater.

**Stormwater**

**(C12)** Suitable banks and / or diversion drains must be installed and maintained to exclude stormwater runoff from all contaminated, or potentially contaminated, areas.

**END OF CONDITIONS FOR SCHEDULE C**

## SCHEDULE D: LAND

**Preventing Contaminant Release to Land**

**(D1)** Contaminants must not be released to land except where otherwise specified within the conditions of this development permit.

**Containment of Chemicals, Fuels and Other Liquid Contaminants**

**(D2)** All chemicals, fuels and other liquid contaminants must be contained within an on-site containment system and controlled in a manner that prevents environmental harm and in accordance with AS4326 *Storage and Handling of Oxidising Substances*, AS1940 - *Storage and Handling of Flammable and Combustible Liquids* and AS3780 – *The Storage and Handling of Corrosive Substances* or other relevant Australian Standards.

**Spill Kit**

**(D3)** 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.

**(D4)** Anyone operating under this approval must be trained in the use of the spill kit and emergency response procedures.

**Rehabilitation**

**(D5)** The site (including all disturbed areas such as slopes, borrow pits, stockpile, screening areas and other infrastructure) must be rehabilitated in a manner such that it is returned to a suitable state.

**(D6)** The registered operator must keep records of rehabilitation measures implemented including photographs demonstrative of rehabilitation achieved and submit a report to the administering authority

with each annual return detailing the outcomes of the rehabilitation program in the preceding twelve (12) months.

**(D7)** Any hydro-mulch formulations used must make use of native grass seeds.

**Motor Vehicle Workshop**

**(D8)** All maintenance and repair of vehicles on site must be undertaken within the Ancillary Motor Vehicle Workshop.

**END OF CONDITIONS FOR SCHEDULE D**

## SCHEDULE E: WASTE

**Waste General**

**(E1)** Waste generated in the carrying out of the activity to which this approval relates must be stored, handled and transferred in a proper and efficient manner so as to prevent spillage or contamination of land or waters.

**(E2)** Waste must not be burnt or be allowed to burn at the authorised place or removed and burnt elsewhere.

**Regulated Waste**

**(E3)** A record of all regulated wastes must be kept detailing the following information:

(a) date of pickup of waste;

(b) description of waste;

(c) quantity of waste;

(d) origin of the waste; and

(e) destination of the waste.

*Note: Trackable wastes as listed in Schedule 1 of the Environmental Protection (Waste Management) Regulation 2000 are not covered by this condition. Trackable wastes have similar recording requirements to this condition in accordance with a waste tracking system established under the above Regulation.*

**(E4)** All vehicles used to transport regulated waste offsite must be lawfully entitled to transport the waste and be registered with the administering authority.

**Notification of Improper Disposal of Regulated Waste**

**(E5)** If the Registered Operator becomes aware that a person has removed regulated waste from the licensed place and disposed of the regulated waste in a manner which is not authorised by this development approval or is improper or unlawful, then the registered operator must, as soon as practicable, but within twenty-four (24) hours, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

**END OF CONDITIONS FOR SCHEDULE E**

## SCHEDULE F: NOISE

### Noise Nuisance

**(F1)** Noise produced by an ERA to which this development permit relates must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

**(F2)** All noise, except from blasting, must not exceed the levels specified in **Schedule F – Table 1: Noise Limits** at any nuisance sensitive place or commercial place.

**Schedule F – Table 1: Noise Limits**

| Sound pressure level dB(A) measured as | Monday to Saturday | | | Sundays and public holidays | | |
|---|---|---|---|---|---|---|
| | 7am – 6pm | 6pm – 10pm | 10pm – 7am | 7am – 6pm | 6pm – 10pm | 10pm – 7am |
| | Noise measured at a 'nuisance sensitive place' or 'commercial place' | | | | | |
| $L_{Aeq, adj, 10 mins}$ | Bkg + 5 | Bkg + 5 | Bkg + 3 | Bkg + 5 | Bkg + 5 | Bkg + 3 |
| $L_{A1, adj, 10 mins}$" | Bkg + 10 | Bkg + 10 | Bkg + 5 | Bkg + 10 | Bkg + 10 | Bkg + 5 |

*Note: "Background" (Bkg) means background sound pressure level measured in accordance with the latest edition of the administering authority's Noise Measurement Manual. Schedule G – Table 1: Noise Limits does not purport to set operating hours for an ERA to which this development permit relates*

### Noise Monitoring

**(F3)** When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within fourteen (14) days to the administering authority. Monitoring must be undertaken by a suitably qualified person and must include:

(a) background noise level;

(b) $L_{Aeq, adj, 10mins}$;

(c) $L_{A10, adj, 10 mins}$;

(d) $L_{A1, adj, 10 mins}$;

(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;

(h) location, date and time of recording;

(i) details of measurement instrumentation and measurement procedure; and

(j) an analysis of monitoring data must be provided in the context of defined limits as stated in **Schedule F – Table 1: Noise Limits**.

**(F4)** The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's *Noise Measurement Manual* and any subsequent revisions.

**Blasting**

**(F5)** Blasting operations at the authorised place are limited to the times specified in **Schedule F – Table 2: Vibration Limits at a nuisance sensitive place**.

**(F6)** Blasting operations at the authorised place must meet the air blast overpressure and vibration limits as specified in **Schedule F – Table 2: Vibration Limits at a nuisance sensitive place**.

**Schedule F – Table 2: Vibration Limits at a nuisance sensitive place**

| Receptor | Monday to Friday 9:00am - 3:00pm<br>Saturday 09.00am – 01:00pm | Other times and Public Holidays |
|---|---|---|
| Nuisance sensitive place or commercial place | **Air blast overpressure**<br>(a) Air blast overpressure must not be more than 115dB (linear) peak for nine (9) out of any ten (10) consecutive blasts initiated, regardless of the interval between blasts; and<br>(b) The air blast overpressure must not exceed 120dB (linear) peak for any blast. | No blasting to occur |
| | **Ground-borne vibration**<br>(c) The ground-borne vibration must not exceed a peak particle velocity of 5mm per second for nine (9) out of any ten (10) consecutive blasts initiated, regardless of the interval between blasts; and<br>(d) The ground-borne vibration must not exceed a peak particle velocity of 10mm per second for any blast. | |

**(F7)** All blasting must be carried out in a proper manner by a suitably qualified person in accordance with best practice environmental management to minimise the likelihood of adverse effects being caused by the impacts of blasting.

**(F8)** Records of the design of all explosive blasts and how each blast meets the criteria specified in **Schedule F – Table 2: Vibration Limits at a nuisance sensitive place** (for example charge weight and pattern) must be kept in written and diagrammatic form at the authorised place.

**Vibration Nuisance**

**(F9)** Vibration caused from an ERA to which this development permit relates must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

**Vibration Monitoring**

**(F10)** All vibration monitoring must be undertaken by a suitably qualified person.

**(F11)** When requested by the administering authority, vibration monitoring and recording must be undertaken to investigate any complaint of vibration nuisance, and the results notified within fourteen (14) days to the administering authority. Monitoring must include:

(a) peak particle velocity (mm/s);

(b) location of the blast/s within the site (including which bench level);

(c) atmospheric conditions including temperature, relative humidity and wind speed and direction;

(d) the level and frequency of occurrence of impulsive or tonal noise;

(e) effects due to extraneous factors;

(f) location, date and time of recording; and

(g) an interpretation of the monitoring data in context with the defined limits as stated in Table **Schedule F – Table 2: Vibration Limits at a nuisance sensitive place**.

**(F12)** For vibration monitoring the ground-borne vibration transducer (or array) must be attached to a mass of at least thirty (30) kilograms to ensure good coupling with the ground where the blast site and the measurement site cannot be shown to be on the same underlying strata. The mass must be buried so that its uppermost surface is at the same level as the ground surface.

**(F13)** The ground-borne vibration transducer (or array) must be placed at a distance of at least the longest dimension of the foundations of a noise-affected building or structure away from such building or structure and between that building or structure and the site of the blasting.

**Obligation to Investigate Noise and/or Vibration Nuisance Complaints**

**(F14)** Subject to conditions **(F3), (F5)** and **(F6)**, the person undertaking an ERA to which this development permit relates must investigate, or commission the investigation of, all complaints alleging noise and/or vibration nuisance[2] from the activity to which this approval relates.

**(F15)** The obligation for the person undertaking the activity to which the approval relates to investigate a nuisance complaint is extinguished if all the following apply:

(a) the facts and circumstances forming the basis for the complaint are substantially the same as those alleged in a former complaint by the same complainant;

(b) the results of an investigation into the former complaint was that the complaint cannot be substantiated; and

(c) the administering authority or an authorised person has not, by written notice, otherwise revived the obligation to investigate the complaint.

**Reasonable Adjustment for Validated Nuisance Complaints**

**(F16)** The person undertaking an ERA to which this permit relates must make reasonable adjustment[3] for practices, procedures or equipment to resolve any validated complaint investigated under conditions **(F3), (F5)** and **(F6)**.

**END OF CONDITIONS FOR SCHEDULE F**

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[2] The form of any investigations made under condition (F4) should be sufficient to enable a conclusion about the validity of the complaint to be made, but do not necessarily require formal noise monitoring in the form required under condition (F3).

[3] See section 319 of the *Environmental Protection Act 1994* (General environmental duty) for things that must be considered in determining whether a change is a reasonable adjustment.

## SCHEDULE G: MONITORING AND REPORTING

**Notification of Incidents / Emergencies**

**(G1)** The Registered Operator must telephone the administering authority's Pollution Hotline or local office as soon as practicable, but within 24 hours, after becoming aware of any release of contaminants not in accordance with the conditions of this approval.

**Monitoring**

**(G2)** All monitoring required by this development permit must be conducted in accordance with the most recent version of the administering authority's *Monitoring and Sampling Manual*, or a similar relevant manual(s) / guide(s) for the type of monitoring required.

**(G3)** An annual monitoring report must be prepared each year and presented to the administering authority with the annual return. This report shall include but not be limited to:

(a) a summary of the previous twelve (12) months monitoring results obtained under any monitoring programs required under this approval and, in graphical form showing relevant limits, a comparison of the previous twelve (12) months monitoring results to both this approvals limits and to relevant prior results.

(b) an evaluation/explanation of the data from any monitoring programs;

(c) a summary of any record of quantities of releases required to be kept under this approval;

(d) a summary of the volumes of materials extracted and screened from the authorised place;

(e) a summary of the record of equipment failures or events recorded for any site under this approval; and

(f) an outline of actions taken or proposed to minimise the environmental risk from any deficiency by the monitoring or recording programs.

**END OF CONDITIONS FOR SCHEDULE G**

## SCHEDULE H: COMMUNITY

**Complaint Response**

**(H1)** The holder of this development approval must record the following details for all complaints received and provide this information to the administering authority on request:(a) time, date, name and contact details of the complainant;

(b) reasons for the complaint;

(c) any investigations undertaken;

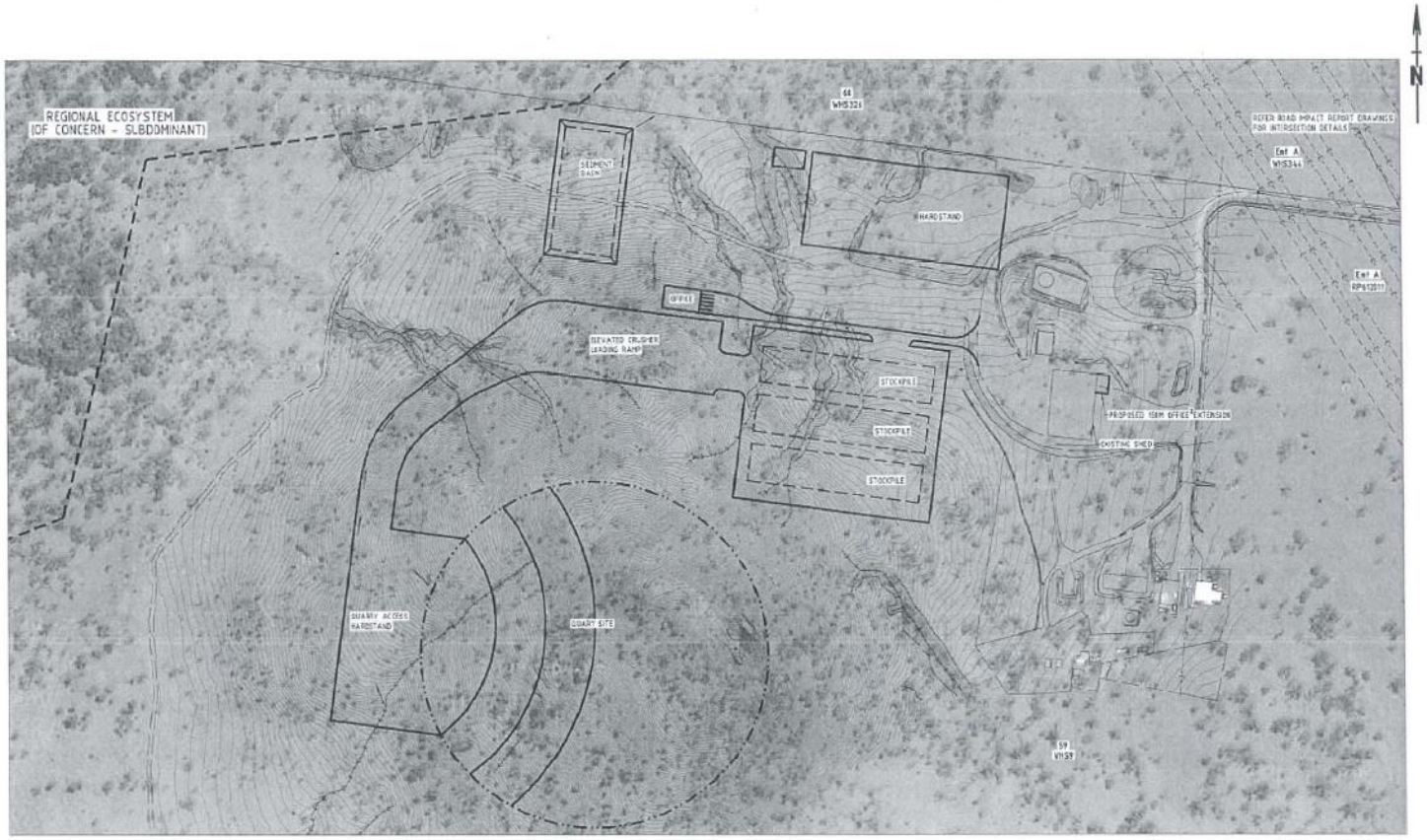
(d) conclusions formed; and

(e) any actions taken.

**END OF CONDITIONS FOR SCHEDULE H**

## SCHEDULE I: PLAN OF THE DEVELOPMENT

**Schedule I: Drawing number MCQH001/SK01**




PRELIMINARY ISSUE NOT FOR CONSTRUCTION

| REV | DATE | REVISIONS |
|---|---|---|
| 1 | 26/06/25 | PRELIMINARY ISSUE - ENGINEERING REPORT |

JAS-ANZ ISO 9001

REAL PROPERTY DESCRIPTION:
LOT 59 ON WH59

DRAWN: A.STRACK
DATUM: GRS1
E 674825.643
N 7693243.091
RL 226.384
CHECKED: P.LEROSIAM
PROJECT MANAGER: P.LEROSIAM
PROJECT DIRECTOR: P.LEROSIAM RPEQ 2324

UDP Consulting Engineers
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CQ HEAVY HAULAGE
DEVELOPMENT PLAN & ENGINEERING ASSESSMENT
QUARRY & TRANSPORT OPERATIONS
OVERALL LAYOUT PLAN

| DRAWING SIZE | SCALE | DRAWING No. | REV |
|---|---|---|---|
| A1 | 1:500 | MCQH001/SK01 | 1 |

WIP: MCQH001-XX-SKETCH

**END OF CONDITIONS FOR SCHEDULE I**

## SCHEDULE J: DEFINITIONS

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

**"activity"** means – includes that part, if any, of an activity relating to – l

- preparing a place for the activity before carrying out the activity; or
- rehabilitating a place after it has been used for carrying out the activity.

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

**"airblast overpressure"** means the energy transmitted from the blast site within the atmosphere in the form of pressure waves. As these waves pass a given position, the pressure of the air rises very rapidly then falls more slowly then returns to the ambient value after a number of oscillations. The pressure wave consists of both audible (noise) and inaudible (concussion) energy. The maximum excess pressure in this wave is known as the peak air overpressure, generally measured in decibels using the linear frequency-weighting.

**"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*.

**AS"** means Australian Standard.

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

**"blasting** means the use of explosives to fracture –

- rock, coal and other minerals for later recovery; or
- structural components or other items to facilitate removal from a site or for reuse.

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

**"contaminant"** can be:

- a gas, liquid or solid; or
- an odour; or
- an organism (whether alive or dead), including a virus; or
- energy, including noise, heat, radioactivity and electromagnetic radiation; or
- a combination of contaminants.;

**"dB(A)"** means decibels measured on the 'A' frequency weighting network.

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

**"ERA"** means environmentally relevant activity, pursuant to the *Environmental Protection Act 1994*.

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

**"$L_{A\ eq}$"** means the equivalent continuous A-weighted sound pressure level of the residual noise determined over a specified time interval.

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

**"noxious"** means harmful or injurious to health or physical wellbeing.

**"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 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.

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

**"$PM_{2.5}$"** means particulate matter with an aerodynamic diameter of less than or equal to 2.5 µm ($PM_{2.5}$).

**"$PM_{10}$"** means particulate matter with an aerodynamic diameter of less than 10µm or equal to ($PM_{10}$).

**"Registered Operator"** means the holder of a Registration Certificate, for a chapter 4 activity of the *Environmental Protection Act 1994* (EP Act), issued under section 73F of the EP Act and in force.

**"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.

**"release"** of a contaminant into the environment, includes—

a) to deposit, discharge, emit or disturb the contaminant; and

b) to cause or allow the contaminant to be deposited, discharged emitted or disturbed; and

c) to fail to prevent the contaminant from being deposited, discharged, emitted or disturbed; and

d) to allow the contaminant to escape; and

e) to fail to prevent the contaminant from escaping.

VMC

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

**"suitably qualified person"** means a person with qualifications in the relevant area or field and at least 5 years of experience in that relevant technical area or field.

**"valid complaint"** means a complaint that the administering authority has determined is not trivial, frivolous or vexatious.

**"watercourse"** means a river, creek or stream in which water flows permanently or intermittently-

- in a natural channel, whether artificially improved or not; or
- in an artificial channel that has changed the course of the watercourse.

**"waters"** includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part-thereof.

**"works" or "operation"** means the development approved under this development approval.

**END OF CONDITIONG FOR SCHEDULE J**

# END OF CONDITIONS

**END OF PERMIT**