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Certificate of Registration

No: ENRE00738108

This registration certificate is issued by the Environmental Protection Agency and takes effect from: 29 January 2008.

The anniversary day for the purposes of the Annual Return is 29 January

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

Registered Operator:-
Energex Limited
150 Charlotte Street
BRISBANE QLD 4000

Place:-
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824

Located at:-
46 Blinzinger Road, BANYO QLD 4014

Registered Activities: -
ERA 11(a) Crude oil storing or petroleum product storing - crude oil or petroleum product in tanks or containers having a combined total storage capacity of 10 000 L or more but less than 500 000 L.
ERA 28 Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm or under a mining tenement) or on a commercial basis.
ERA 84(b) Regulated waste storage - operating a facility for receiving and storing regulated waste [other than 84(a)] - excepting (i) on a farm for use as a soil conditioner or fertiliser in carrying out an agricultural activity; or (ii) for use in manufacturing a saleable product under another item of this schedule; or (iii) for incineration under item 76; or (iv) recycling, reprocessing or reconditioning under items 77 to 79 or 81).

EHP RTI DL Release

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Certificate of Registration
No: ENRE00738108

Place:-
s.73

Located at:-
s.73

Registered Activity/ies: -
ERA 28 Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm or under a mining tenement) or on a commercial basis.

Place:-
s.73

Located at:-
s.73

Registered Activity/ies: -
ERA 28 Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm or under a mining tenement) or on a commercial basis.

Place:-
s.73

Located at:-
s.73

Registered Activity/ies: -
ERA 28 Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm or under a mining tenement) or on a commercial basis.

sch4p4(6) Personal information

Delegate
Environmental Protection Agency

EHP RTI DL Release

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BRISBANE QLD 4000

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EHP RTI DL Release

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

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

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Certificate of Registration
No: ENRE00738108

Place:-

s.73

Located at:-

s.73

Registered Activity/ies: -
ERA 28 Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm or under a mining tenement) or on a commercial basis.

Place:-

s.73

Located at:-

s.73

Registered Activity/ies: -
ERA 28 Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm or under a mining tenement) or on a commercial basis.

Place:-

s.73

Located at:-

s.73

Registered Activity/ies: -
ERA 28 Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm or under a mining tenement) or on a commercial basis.

sch4p4(6) Personal information

Delegate
Environmental Protection Agency

EHP RTI/IP Release

Development Permit

EPA Permit[1] number:	IPDE00850608
Application (Converted Development Approval) No.	SR0450
Relevant Laws and Policies:	*Environmental Protection Act 1994* and any subordinate legislation

Development Description

Property/Location

s.73

located at: s.73

Carrying out of Environmentally Relevant Activity (ERA)

28 - **Motor vehicle workshop** - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm) or on a commercial basis

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 thirty (30) days after becoming so aware, give notice to the Environmental Protection Agency.

Environmentally Relevant Activities

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

EPA TI DE Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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

In addition to this permit, the person to carry out the ERA must be a registered operator under the *Environmental Protection Act 1994*. For the person to become a registered operator, they must apply for a registration certificate under section 73F of the *Environmental Protection Act 1994*.

sch4p4(6) Personal information

Delegate of Administering Authority
Environmental Protection Act 1994

Date: 12/9/08

EHP RTI DL Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

Conditions of the Development Approval

This development approval consists of the following schedules of conditions relevant to various issues:

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

This development approval consists of the following schedules-

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule F - Noise

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I - Definitions

EHP RTI DL Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

SCHEDULE A - GENERAL CONDITIONS

Display of Development Approval

(A1) A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A2) Any record or document required to be kept by a condition of this development approval must be kept at the approved place for a period of at least five years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

(A3) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development approval.

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

Calibration

(A4) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this development approval must be calibrated, and appropriately operated and maintained.

Integrated Environmental Management System (IEMS)

(A5) The registered operator of this development approval must have developed and implemented an Integrated Environmental Management System (IEMS) which provides for the effective and appropriate management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activity/activities.

(A6) The Integrated Environmental Management System must provide for at least the following functions:

(i) The monitoring of releases of contaminants into the environment for example, monitoring of stormwater to ensure effectiveness of procedures adopted;

(ii) The assessment of the environmental impacts of any releases of contaminants into the environment, for example, monitoring of noise emissions to resolve a complaint; and

(iii) The training of all relevant staff, agents and contractors ("staff") to competent levels in at least the following:

(a) The environmental policy of the registered operator of the development approval so that staff are aware of any relevant commitments to environmental management; and
(b) Any relevant environmental objectives and targets so that all staff are aware of the relevant performance objectives and can work towards these; and
(c) Control procedures for routine operations for day to day operational activities to prevent or minimise environmental harm, however occasioned or caused; and

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(d) Contingency plans and emergency procedures 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
(e) Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
(f) Effective communication to ensure two-way communication on environmental matters between operational staff and management as well as communications with the administering authority; and
(g) Documentation systems so that appropriate records of environmental matters are kept to satisfy the registered operator of this development approval, the administering authority and the community that the applicant is meeting environmental commitments; and
(h) Responsibilities of the registered operator of this development approval and staff under the Act so that these can be met; and

(iii) The conduct of environmental and energy audits to review periodically:

(a) the level of environmental performance; and
(b) the effectiveness of environmental management procedures adopted; and

(iv) The implementation of an effective and appropriate practices and procedures for management of waste.

(A7) The registered operator of this development approval must prepare a report summarising the outcomes of the environmental and energy audits required by condition A6 (iii) and submit the report with the annual return which follows the conduct of the audits.

(A8) The IEMS must address the management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activities by the registered operator of this development approval at the following locations.

ERA	Location	Place
ERA 28 Motor vehicle workshop	Progress Road, Maroochydore 4558	Lot 5 on Plan RP 150303, Title Reference 15604217, Volume 5604, Folio 217.

Amendments

(A9) The registered operator of this development approval may amend the IEMS as well as any other plans required by this development approval.

(A10) The amendment must be properly incorporated to the original document.

(A11) The registered operator of this development approval must not implement any amendment where such amendment would result in a contravention of any development approval condition and or recent editions of the referred document(s) in this development approval.

End of Conditions for Schedule A

EHP RTI/IP Release

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SCHEDULE B - AIR

Release of Contaminants to the Atmosphere

(B1) This environmentally relevant activity must be carried out by such practicable means necessary to prevent the release or the likelihood of release of contaminants that will or may cause environmental harm.

Nuisance

(B2) Notwithstanding any other condition of this development approval no release of contaminants from the approved place is to cause a noxious or offensive odour beyond the boundaries of the approved place.

End of Conditions for Schedule B

EHP RTI DL Release

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SCHEDULE C - WATER

(C1) Contaminants that will or may cause environmental harm, must not be directly or indirectly released from the approved place to any waters or the bed and banks of any waters except:

(i) as permitted under the stormwater management schedule; or
(ii) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Conditions for Schedule C

EHP RTI DL Release

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SCHEDULE D - STORMWATER MANAGEMENT

General

(D1) The maintenance, cleaning and washdown of vehicles, transformers and any other equipment or plant must be carried out in areas from where contaminants cannot be released to any waters, roadside gutter or stormwater drainage system.

(D2) Any spillage of wastes, contaminants or other materials capable of causing environmental harm or nuisance must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Stormwater Management Plan

(D3) The registered operator of this development approval must have developed and implemented an effective and appropriate Stormwater Management Plan.

Washing and Cleaning of Vehicles and other Equipment and Plant

(D4) Waste generated by the washing and cleaning of vehicles and other equipment and plant must be treated by:

(i) an oil/water separator; and
(ii) a sediment collection sump or trap.

(D5) The oil/water separator must be operated and maintained such that:

(i) the oil and grease concentration of the waste is minimised to the greatest practicable extent;
(ii) collected waste oil and sludge from the oil/water separator is removed as often as necessary to ensure effective operation of the separator; and
(iii) detergents or other emulsifying agents are prevented as far as reasonable and practicable from entering the separator.

(D6) A record must be maintained of the time and date of the desludging and maintenance of the oil/water separator.

(D7) Drains and bunds must be provided to ensure surface stormwater runoff is excluded from the washing area.

(D8) Washing, cleaning and draining of batteries must be carried out in areas from where resultant contaminants cannot be released to any land, waters, roadside gutter or stormwater drainage system.

Bunding

(D9) All chemical tank storages including storages of fuel, oil, paints, solvents, solvents baths, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest storage tank plus ten percent (10%) of the second largest tank within the bund.

(D10) All chemical drum storages including storages of fuel, oil, paints, solvents, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least twenty five percent (25%) of the maximum design storage volume within the bund.

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(D11) All areas used for the storage of damaged transformer(s) must be bunded so that the capacity of the bund is sufficient to contain any spillage, leakage or other escape of polychlorinated biphenyls and other contaminants contained in the transformer(s).

(D12) All bunding must be constructed of materials which are impervious to the materials stored.

(D13) All bunded areas must be roofed where practicable.

(D14) Where it is impractical to completely roof a bunded area the registered operator of this development approval must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.

(D15) A collection sump must be provided in the floor of the bunding to facilitate the removal of liquids. The bund floor must be graded so that the fall is towards the collection sump.

(D16) All required pipework from the bunded areas must be directed over the bund wall and not through it.

(D17) All empty drums must be stored on a concrete hardstand area with their closures in place.

(D18) All drums and other containers which have held solvents, oils, waste oils, paints, thinners or regulated waste must be stored in a bunded area.

(D19) All drums containing raw materials, solvents, oils, waste oils, paints, thinners or regulated waste must be sealed to prevent loss of contents or exposure of the contents to the atmosphere.

(D20) There must be no visible leakage of the contents of any drum containing raw materials, solvents, oils, waste oils, paints, thinners or regulated waste.

End of Conditions for Schedule D

EHP RTI DL Release

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SCHEDULE E - LAND APPLICATION

Release of Contaminants to Land

(E1) There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land, including battery acid, solvents and waste oil.

End of Conditions for Schedule E

EHP RTI DL Release

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SCHEDULE F - NOISE

Emission of Noise

(F1) In the event of a complaint made to the administering authority about noise that is unreasonable and/or intrusive, and that the administering authority considers is not frivolous or vexatious, then the emission of noise from the approved place, except for blasting noise, must not result in levels greater than those specified in Schedule F Table 1.

SCHEDULE F - TABLE 1

NOISE LIMITS AT A NOISE SENSITIVE PLACE	
Period	***Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 5 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 5 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 3 dB(A)
All other times and public holidays	Background noise level
NOISE LIMITS AT A COMMERCIAL PLACE	
Period	***Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 10 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 10 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 8 dB(A)
All other times and public holidays	Background noise level plus 5 dB(A)

End of Conditions for Schedule F

EHP RTI DL Release

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SCHEDULE G - WASTE MANAGEMENT

General

(G1) Waste oil and polychlorinated biphenyls that are regulated waste must be removed from the approved place by a person approved under the *Environmental Protection Act 1994* to transport that waste.

(G2) The registered operator of this development approval must not:

(i) burn waste at or on the approved place; nor
(ii) allow waste to burn or be burnt at or on the approved place; nor
(iii) remove waste from the approved place and burn such waste elsewhere.

Site-Based Polychlorinated Biphenyl Management Plan

(G3) The registered operator of this development approval, must have developed and implemented a Site-based Polychlorinated Biphenyl Management Plan which details how the registered operator of this development approval will effectively and appropriately manage the transport, transfer, handling, storage and disposal of polychlorinated biphenyls so as to prevent, as far as is practicable, any environmental contamination being caused as a result of these activities.

(G4) The Site-Based Polychlorinated Biphenyl Management Plan must provide for the following functions:

- prevention of incident stormwater and stormwater runoff from contacting polychlorinated biphenyls; and
- diversion of upstream runoff away from areas containing polychlorinated biphenyls; and
- minimisation of the size of areas containing polychlorinated biphenyls, and
- cleaning of any spillage or other release of polychlorinated biphenyls, and
- the taking of all reasonable and practicable measures necessary to prevent and/or to minimise the likelihood of environmental harm (including contamination of stormwater, sewage and contamination of land) being caused in carrying out any transport, transfer, handling, storage and disposal of polychlorinated biphenyls; and
- an audit of the likely quantity of PCB contaminants at the approved premises; and
- a management plan with a timeframe for the cessation of the environmentally relevant activity, as it relates to PCBs; and
- a sampling and analysis program to determine the concentration of polychlorinated biphenyls in waste and materials handled in carrying out the environmentally relevant activity, including the keeping of records identifying the waste and material handled with cross referencing to analysis results; and
- methods to manage any emergency situation where there is a release of PCB waste to the environment; and
- staff training in the competent carrying out of the environmentally relevant activity and awareness of environmental issues related to the environmentally relevant activity; and
- continuous monitoring and annual review of the systems and strategy of the plan in order to identify and implement changes that will improve the plan.

(G5) In developing and implementing the Site-based Polychlorinated Biphenyl Management Plan, the registered operator of this development approval must have regard to the "Polychlorinated Biphenyls Management Plan" endorsed by the Australian and New Zealand Environment and Conservation Council (ANZECC).

(G6) A copy of the Site-based Polychlorinated Biphenyl Management plan must be kept at each approved place in or on which polychlorinated biphenyls are handled.

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Off Site Movement

(G7) Where regulated waste is removed from the approved place (other than by a release as permitted under another schedule of this development approval), the registered operator of this development approval must monitor and keep records of the following:

(a) the date, quantity and type of waste removed; and
(b) name of the waste transporter and/or disposal operator that removed the waste; and
(c) the intended treatment/disposal destination of the waste; and
(d) where the waste is a polychlorinated biphenyl, the concentration of polychlorinated biphenyls in the waste.

(G8) All disposal of wastes generated in carrying out the environmentally relevant activity must be to a proper and appropriate facility that accepts such wastes, except as specifically provided for under the conditions of this development approval.

(G9) Regulated waste such as polychlorinated biphenyls, paints, sludges, solvents and waste oil must not be placed in industrial bins or other containers that would result in that waste entering the general waste stream.

(G10) Records of trade waste agreements must be kept at the approved place to which they relate and be made available to an authorised person who asks to see them.

Notification of Improper Disposal of Regulated Waste

(G11) If the registered operator of this development approval becomes aware that a person has removed regulated waste from the approved place and disposed of the regulated waste in a manner which is not authorised by this development approval or improper or unlawful, then the registered operator of this development approval must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of Conditions for Schedule G

EHP RTI Release

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SCHEDULE H - MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received by the registered operator of this development approval relating to releases of contaminants from operations at the approved 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) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

Notification of Emergencies and Incidents

(H2) Where the registered operator of this development approval has not given notification to the administering authority under Section 37 of the *Environmental Protection Act*, as soon as practicable after becoming aware of any emergency or incident that 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 registered operator of this development approval must notify the administering authority of the release by telephone or facsimile.

(H3) Where the registered operator of this development approval has not given notification to the administering authority under Section 37 of the *Environmental Protection Act*, the notification of emergencies or incidents as required by condition number H2 must include but not be limited to the following:

(a) the name of the registered operator of the development approval;
(b) the location of the emergency or incident;
(c) the number of the development approval;
(d) the name and telephone number of the designated contact person;
(e) the time of the release;
(f) the time the registered operator of the development approval became aware of the release;
(g) the suspected cause of the release;
(h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
(i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(H4) Where the registered operator of this development approval has not given notification to the administering authority under Section 37 of the *Environmental Protection Act*, not more than fourteen (14) days following the initial notification of an emergency or incident, the registered operator of the development approval must provide written advice of the information supplied in accordance with condition H3 in addition to:

(a) proposed actions to prevent a recurrence of the emergency or incident; and
(b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
(c) the results of any environmental monitoring performed.

(H5) The registered operator of this development approval must ensure that the results of all monitoring performed in accordance with this development approval for the period covered by the return are submitted with the Annual Return.

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EHP RTI DL Release

Noise Monitoring

(H6) For the purposes of checking compliance with condition F1 and investigating any complaint made about noise that allegedly constitutes an annoyance, monitoring and recording of the noise levels from the activity/activities must be undertaken for the following descriptors, characteristics and conditions:

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

(H7) Environmental noise monitoring must be undertaken to investigate any complaint of noise annoyance upon receipt of a written request from the administering authority to carry out such monitoring.

(H8) The method of measurement and reporting of noise levels must comply with the *Department of Environment and Heritage Noise Measurement Manual; second edition, March 1995*, or more recent editions or supplements to that document as become available.

(H9) 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.

(H10) Records must be kept of the results of all monitoring of noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.

End of Conditions for Schedule H

EHP RTI DL Release

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SCHEDULE I - DEFINITIONS

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

(I1) "administering authority" means the Environmental Protection Agency or its successor.

(I2) "land" means land excluding waters and the atmosphere.

(I3) "polychlorinated biphenyl" and 'PCB" means a substance in which the biphenyl structure has chlorine atoms substituted for hydrogen atoms to varying degrees. PCB has the chemical formula $C_{12}H_{10-n}Cl_n$ where 'n' is a number in the range one (1) to ten (10) inclusive.

(I4) Any non-domestic waste, other than contaminated soil, with a concentration of PCB which is greater than 2 mg/kg (ppm) is regulated waste, due to the PCB content.

(I5) Any waste, other than contaminated soil, with a concentration of PCB which is equal to or less than 2 mg/kg (ppm) is not regulated waste, due to the PCB content.

(I6) Soil which has a concentration greater than 2 mg/kg (ppm) is contaminated soil, and hence regulated waste, due to the PCB content.

(I7) "$L_{Amax\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I8) "background noise level" means either:

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

$L_{abg,\ T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than fifteen (15) minutes, using Fast response.

(I9) "Max $L_{pA,\ T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I10) "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.

(I11) "commercial place" means a place used as an office or for business or commercial purposes.

(I12) "unreasonable noise" means noise that causes unlawful environmental harm.

(I13) "intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration that is

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

End of Conditions for Schedule I

END OF CONDITIONS

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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Development Approval
Section 621(4) *Environmental Protection Act 1994*

EPA Development Application (Converted Development approval) number:	IPDE00850408 SR0450
Relevant Laws and Policies:	*Environmental Protection Act 1994* and subordinate legislation

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

ERA 28 - Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm) or on a commercial basis

ERA 84(b) - Regulated waste storage - operating a facility for receiving and storing - other regulated waste, other than waste stored,

(i) on a farm for use as a soil conditioner or fertiliser in carrying out an agricultural activity; or
(ii) for use in manufacturing a saleable product under another item of this schedule; or
(iii) for incineration under item 76; or
(iv) recycling, reprocessing or reconditioning under items 77 to 79 or 81).

at the following place:

Lot 1 and 2 on Plan RP124669, and Lot 1 and 2 on Plan RP82824, County of Stanley, Parish of Toombul

located at: Blinzinger Road
BANYO QLD 4014

The environmentally relevant activity must be constructed, operated and maintained in accordance with the conditions as set out in the attached schedule of conditions.

Further development permits required

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

[1] Permit includes s, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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This development approval is issued pursuant to section 621 of the *Environmental Protection Act 1994*. The rights of review and appeal are attached to this notice.

This development approval takes effect 10 business days after you receive this notice, or if there is an appeal from the day the appeal is finally decided or is otherwise ended.

sch4p4(6) Personal informat

Signed

8/2/18

Date

Rod Kent
Manager
Delegate of Administering Authority
Environmental Protection Act 1994

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Schedule of conditions

The aforementioned description of the ERA for which this authority is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing the authority. Where there is any conflict between the above description of the ERA 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, then such conditions prevail to the extent of the inconsistency.

This development approval consists of the following schedules -

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule F - Noise

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I - Definitions

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SCHEDULE A - GENERAL CONDITIONS

Display of Environmental Authority

(A1) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A2) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

(A3) 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 environmental authority.

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

Calibration

(A4) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.

Integrated Environmental Management System (IEMS)

(A5) The holder of this environmental authority must have developed and implemented an Integrated Environmental Management System (IEMS) which provides for the effective and appropriate management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activity/activities.

(A6) The Integrated Environmental Management System must provide for at least the following functions:

(i) The monitoring of releases of contaminants into the environment for example, monitoring of stormwater to ensure effectiveness of procedures adopted;

(ii) The assessment of the environmental impacts of any releases of contaminants into the environment, for example, monitoring of noise emissions to resolve a complaint; and

(iii) The training of all relevant staff, agents and contractors ("staff") to competent levels in at least the following:

(a) The environmental policy of the holder of the environmental authority so that staff are aware of any relevant commitments to environmental management; and
(b) Any relevant environmental objectives and targets so that all staff are aware of the relevant performance objectives and can work towards these; and
(c) Control procedures for routine operations for day to day operational activities to prevent or minimise environmental harm, however occasioned or caused; and

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Environmental Protection Agency
Queensland Parks and Wildlife Service

(d) Contingency plans and emergency procedures 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
(e) Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
(f) Effective communication to ensure two-way communication on environmental matters between operational staff and management as well as communications with the administering authority; and
(g) Documentation systems so that appropriate records of environmental matters are kept to satisfy the holder of this environmental authority, the administering authority and the community that the applicant is meeting environmental commitments; and
(h) Responsibilities of the holder of this environmental authority and staff under the Act so that these can be met; and

(iii) The conduct of environmental and energy audits to review periodically:

(a) the level of environmental performance; and
(b) the effectiveness of environmental management procedures adopted; and

(iv) The implementation of an effective and appropriate practices and procedures for management of waste.

(A7) The holder of this environmental authority must prepare a report summarising the outcomes of the environmental and energy audits required by condition A6(iii) and submit the report with the annual return which follows the conduct of the audits.

(A8) The IEMS must address the management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activities by the holder of this environmental authority at the following locations.

ERA	Location	Place
s.73		
ERA 28 Motor vehicle workshop ERA 84(b) Regulated waste storage	Blinzinger Road, Banyo 4014	Lot 1 and 2 on Plan RP124669, Title Reference 14462161, Lot 1 on Plan RP82824, Title Reference 12902164, and Lot 2 on Plan RP82824, Title Reference 12902165

Amendments

(A9) The holder of this environmental authority may amend the IEMS as well as any other plans required by this environmental authority.

(A10) The amendment must be properly incorporated to the original document.

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(A11) The holder of this environmental authority must not implement any amendment where such amendment would result in a contravention of any licence condition and or recent editions of the referred document(s) in this environmental authority.

End of Conditions for Schedule A

SCHEDULE B - AIR

Release of Contaminants to the Atmosphere

(B1) This environmentally relevant activity must be carried out by such practicable means necessary to prevent the release or the likelihood of release of contaminants, that will or may cause environmental harm.

Nuisance

(B2) Notwithstanding any other condition of this environmental authority no release of contaminants from the licensed place is to cause a noxious or offensive odour beyond the boundaries of the licensed place.

End of Conditions for Schedule B

SCHEDULE C - WATER

(C1) Contaminants that will or may cause environmental harm, must not be directly or indirectly released from the licensed place to any waters or the bed and banks of any waters except:

(i) as permitted under the stormwater management schedule; or
(ii) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Conditions for Schedule C

SCHEDULE D - STORMWATER MANAGEMENT

General

(D1) The maintenance, cleaning and washdown of vehicles, transformers and any other equipment or plant must be carried out in areas from where contaminants cannot be released to any waters, roadside gutter or stormwater drainage system.

(D2) Any spillage of wastes, contaminants or other materials capable of causing environmental harm or nuisance must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Stormwater Management Plan

(D3) The holder of this environmental authority must have developed and implemented an effective and appropriate Stormwater Management Plan.

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Washing and cleaning of vehicles and other equipment and plant

(D4) Waste generated by the washing and cleaning of vehicles and other equipment and plant must be treated by:

(i) an oil/water separator; and
(ii) a sediment collection sump or trap.

(D5) The oil/water separator must be operated and maintained such that:

(i) the oil and grease concentration of the waste is minimised to the greatest practicable extent;
(ii) collected waste oil and sludge from the oil/water separator is removed as often as necessary to ensure effective operation of the separator; and
(iii) detergents or other emulsifying agents are prevented as far as reasonable and practicable from entering the separator.

(D6) A record must be maintained of the time and date of the desludging and maintenance of the oil/water separator.

(D7) Drains and bunds must be provided to ensure surface stormwater runoff is excluded from the washing area.

(D8) Washing, cleaning and draining of batteries must be carried out in areas from where resultant contaminants cannot be released to any land, waters, roadside gutter or stormwater drainage system.

Bunding

(D9) All chemical tank storages including storages of fuel, oil, paints, solvents, solvents baths, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest storage tank plus ten percent (10%) of the second largest tank within the bund.

(D10) All chemical drum storages including storages of fuel, oil, paints, solvents, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least twenty five percent (25%) of the maximum design storage volume within the bund.

(D11) Drums containing waste oil with PCB are not required to be bunded as long as they are stored in relocatable bulk dangerous good stores at the location indicated in the environmental site map of the Banyo Complex No 12U_S103/F provided on 3 December (Reference: ENV99396).

(D12) All areas used for the storage of damaged transformer(s) must be bunded so that the capacity of the bund is sufficient to contain any spillage, leakage or other escape of polychlorinated biphenyls and other contaminants contained in the transformer(s)..

(D13) All bunding must be constructed of materials which are impervious to the materials stored.

(D14) All bunded areas must be roofed where practicable.

(D15) Where it is impractical to completely roof a bunded area the holder of this environmental authority must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.

(D16) A collection sump must be provided in the floor of the bunding to facilitate the removal of liquids. The bund floor must be graded so that the fall is towards the collection sump.

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(D17) All required pipework from the bunded areas must be directed over the bund wall and not through it.

(D18) All empty drums must be stored on a concrete hardstand area with their closures in place.

(D19) All drums and other containers which have held solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be stored in a bunded area.

(D20) All drums containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be sealed to prevent loss of contents or exposure of the contents to the atmosphere.

(D21) There must be no visible leakage of the contents of any drum containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste.

End of Conditions for Schedule D

SCHEDULE E - LAND APPLICATION

Release of Contaminants to Land

(E1) There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land, including battery acid, solvents, polychlorinated biphenyls and waste oil.

End of Conditions for Schedule E

SCHEDULE F - NOISE

Emission of Noise

(F1) In the event of a complaint made to the administering authority about noise that is unreasonable and/or intrusive, and that the administering authority considers is not frivolous or vexatious, then the emission of noise from the licensed place, except for blasting noise, must not result in levels greater than those specified in Schedule F Table 1.

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SCHEDULE F - TABLE 1

LIMITS AT A NOISE SENSITIVE PLACE	
Period	*Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level* $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 5 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 5 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 3 dB(A)
All other times and public holidays	Background noise level
LIMITS AT A COMMERCIAL PLACE	
Period	*Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level* $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 10 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 10 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 8 dB(A)
All other times and public holidays	Background noise level plus 5 dB(A)

End of Conditions for Schedule F

SCHEDULE G - WASTE MANAGEMENT

General

(G1) Waste oil and polychlorinated biphenyls that are regulated waste must be removed from the licensed place by a person licensed under the Environmental Protection Act 1994 to transport that waste.

(G2) The holder of this environmental authority must not:

(i) burn waste at or on the licensed place; nor
(ii) allow waste to burn or be burnt at or on the licensed place; nor
(iii) remove waste from the licensed place and burn such waste elsewhere.

Site-based Polychlorinated Biphenyl Management Plan

(G3) The holder of this environmental authority, must have developed and implemented a Site-based Polychlorinated Biphenyl Management Plan which details how the holder of this environmental authority will effectively and appropriately manage the transport, transfer, handling, storage and disposal of polychlorinated biphenyls so as to prevent, as far as is practicable, any environmental contamination being caused as a result of these activities.

(G4) The Site-based Polychlorinated Biphenyl Management Plan must provide for the following functions:

- prevention of incident stormwater and stormwater runoff from contacting polychlorinated biphenyls; and
- diversion of upstream runoff away from areas containing polychlorinated biphenyls; and
- minimisation of the size of areas containing polychlorinated biphenyls, and

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- cleaning of any spillage or other release of polychlorinated biphenyls, and
- the taking of all reasonable and practicable measures necessary to prevent and/or to minimise the likelihood of environmental harm (including contamination of stormwater, sewage and contamination of land) being caused in carrying out any transport, transfer, handling, storage and disposal of polychlorinated biphenyls; and
- an audit of the likely quantity of PCB contaminants at the licensed premises; and
- a management plan with a timeframe for the cessation of the environmentally relevant activity, as it relates to PCBs; and
- a sampling and analysis program to determine the concentration of polychlorinated biphenyls in waste and materials handled in carrying out the environmentally relevant activity, including the keeping of records identifying the waste and material handled with cross referencing to analysis results; and
- methods to manage any emergency situation where there is a release of PCB waste to the environment; and
- staff training in the competent carrying out of the environmentally relevant activity and awareness of environmental issues related to the environmentally relevant activity; and
- continuous monitoring and annual review of the systems and strategy of the plan in order to identify and implement changes that will improve the plan.

(G5) In developing and implementing the Site-based Polychlorinated Biphenyl Management Plan, the holder of this environmental authority must have regard to the "Polychlorinated Biphenyls Management Plan" endorsed by the Australian and New Zealand Environment and Conservation Council (ANZECC).

(G6) A copy of the Site-based Polychlorinated Biphenyl Management plan must be kept at each licensed place in or on which polychlorinated biphenyls are handled.

Off Site Movement

(G7) Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority must monitor and keep records of the following:

(a) the date, quantity and type of waste removed; and
(b) name of the waste transporter and/or disposal operator that removed the waste; and
(c) the intended treatment/disposal destination of the waste; and
(d) where the waste is a polychlorinated biphenyl, the concentration of polychlorinated biphenyls in the waste.

(G8) All disposal of wastes generated in carrying out the environmentally relevant activity must be to a proper and appropriate facility that accepts such wastes, except as specifically provided for under the conditions of this environmental authority.

(G9) Regulated waste such as polychlorinated biphenyls, paints, sludges, solvents and waste oil must not be placed in industrial bins or other containers that would result in that waste entering the general waste stream.

(G10) Records of trade waste agreements must be kept at the licensed place to which they relate and be made available to an authorised person who asks to see them.

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Notification of Improper Disposal Of Regulated Waste

(G11) If the holder of this environmental authority 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 environmental authority or improper or unlawful, then the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of Conditions for Schedule G

SCHEDULE H - SELF MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the 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) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

Notification of Emergencies and Incidents

(H2) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, as soon as practicable after becoming aware of any emergency or incident that results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.

(H3) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, the notification of emergencies or incidents as required by condition number H2 must include but not be limited to the following:

(a) the name of the holder of the environmental authority;
(b) the location of the emergency or incident;
(c) the number of the environmental authority;
(d) the name and telephone number of the designated contact person;
(e) the time of the release;
(f) the time the holder of the environmental authority became aware of the release;
(g) the suspected cause of the release;
(h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
(i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

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(H4) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, not more than fourteen (14) days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition H3 in addition to:

(a) proposed actions to prevent a recurrence of the emergency or incident; and
(b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
(c) the results of any environmental monitoring performed.

(H5) The holder of this environmental authority must ensure that the results of all monitoring performed in accordance with this environmental authority for the period covered by the return are submitted with the Annual Return.

Noise Monitoring

(H6) For the purposes of checking compliance with condition F1 and investigating any complaint made about noise that allegedly constitutes an annoyance, monitoring and recording of the noise levels from the activity/activities must be undertaken for the following descriptors, characteristics and conditions:

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

(H7) Environmental noise monitoring must be undertaken to investigate any complaint of noise annoyance upon receipt of a written request from the administering authority to carry out such monitoring.

(H8) The method of measurement and reporting of noise levels must comply with the Department of Environment and Heritage Noise Measurement Manual; second edition, March 1995, or more recent editions or supplements to that document as become available.

(H9) 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.

(H10) Records must be kept of the results of all monitoring of noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.

End of Conditions for Schedule H

SCHEDULE I - DEFINITIONS

For the purposes of this environmental authority the following definitions apply:

(I1) "administering authority" means the Environmental Protection Agency or its successor.

(I2) "land" means land excluding waters and the atmosphere.

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(I3) "polychlorinated biphenyl" and 'PCB" means a substance in which the biphenyl structure has chlorine atoms substituted for hydrogen atoms to varying degrees. PCB has the chemical formula $C_{12}H_{10-n}Cl_n$ where 'n' is a number in the range 1 to 10 inclusive.

(I4) Any non-domestic waste, other than contaminated soil, with a concentration of PCB which is greater than 2 mg/kg (ppm) is regulated waste, due to the PCB content.

(I5) Any waste, other than contaminated soil, with a concentration of PCB which is equal to or less than 2 mg/kg (ppm) is not regulated waste, due to the PCB content.

(I6) Soil which has a concentration greater than 2 mg/kg (ppm) is contaminated soil, and hence regulated waste, due to the PCB content.

(I7) "$L_{Amax\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I8) "background noise level" means either:

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

$L_{abg,\ T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than fifteen (15) minutes, using Fast response.

(I9) "Max $L_{pA,\ T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I10) "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.

(I11) "commercial place" means a place used as an office or for business or commercial purposes.

(I12) "unreasonable noise" means noise that causes unlawful environmental harm.

(I13) "intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration that is

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

End of Conditions for Schedule I

END OF CONDITIONS

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Development Approval
Section 621(4) *Environmental Protection Act 1994*

EPA Development Application (Converted Development approval) number:	IPDE00850408 SR0450
Relevant Laws and Policies:	*Environmental Protection Act 1994* and subordinate legislation

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

ERA 28 - Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm) or on a commercial basis

ERA 84(b) - Regulated waste storage - operating a facility for receiving and storing - other regulated waste, other than waste stored.

(i) on a farm for use as a soil conditioner or fertiliser in carrying out an agricultural activity; or
(ii) for use in manufacturing a saleable product under another item of this schedule; or
(iii) for incineration under item 76; or
(iv) recycling, reprocessing or reconditioning under items 77 to 79 or 81).

at the following place:

Lot 1 and 2 on Plan RP124669, and Lot 1 and 2 on Plan RP82824, County of Stanley, Parish of Toombul

located at: Blinzinger Road
BANYO QLD 4014

The environmentally relevant activity must be constructed, operated and maintained in accordance with the conditions as set out in the attached schedule of conditions.

Further development permits required
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

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This development approval is issued pursuant to section 621 of the *Environmental Protection Act 1994*. The rights of review and appeal are attached to this notice.

This development approval takes effect 10 business days after you receive this notice, or if there is an appeal from the day the appeal is finally decided or is otherwise ended.

[redacted] 8/2/18

Signed Date

Rod Kent
Manager
Delegate of Administering Authority
Environmental Protection Act 1994

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Schedule of conditions

The aforementioned description of the ERA for which this authority is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing the authority. Where there is any conflict between the above description of the ERA 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, then such conditions prevail to the extent of the inconsistency.

This development approval consists of the following schedules -

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule F - Noise

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I - Definitions

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SCHEDULE A - GENERAL CONDITIONS

Display of Environmental Authority

(A1) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A2) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

(A3) 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 environmental authority.

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

Calibration

(A4) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.

Integrated Environmental Management System (IEMS)

(A5) The holder of this environmental authority must have developed and implemented an Integrated Environmental Management System (IEMS) which provides for the effective and appropriate management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activity/activities.

(A6) The Integrated Environmental Management System must provide for at least the following functions:

(i) The monitoring of releases of contaminants into the environment for example, monitoring of stormwater to ensure effectiveness of procedures adopted;

(ii) The assessment of the environmental impacts of any releases of contaminants into the environment, for example, monitoring of noise emissions to resolve a complaint; and

(iii) The training of all relevant staff, agents and contractors ("staff") to competent levels in at least the following:

(a) The environmental policy of the holder of the environmental authority so that staff are aware of any relevant commitments to environmental management; and
(b) Any relevant environmental objectives and targets so that all staff are aware of the relevant performance objectives and can work towards these; and
(c) Control procedures for routine operations for day to day operational activities to prevent or minimise environmental harm, however occasioned or caused; and

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(d) Contingency plans and emergency procedures 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
(e) Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
(f) Effective communication to ensure two-way communication on environmental matters between operational staff and management as well as communications with the administering authority; and
(g) Documentation systems so that appropriate records of environmental matters are kept to satisfy the holder of this environmental authority, the administering authority and the community that the applicant is meeting environmental commitments; and
(h) Responsibilities of the holder of this environmental authority and staff under the Act so that these can be met; and

(iii) The conduct of environmental and energy audits to review periodically:

(a) the level of environmental performance; and
(b) the effectiveness of environmental management procedures adopted; and

(iv) The implementation of an effective and appropriate practices and procedures for management of waste.

(A7) The holder of this environmental authority must prepare a report summarising the outcomes of the environmental and energy audits required by condition A6(iii) and submit the report with the annual return which follows the conduct of the audits.

(A8) The IEMS must address the management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activities by the holder of this environmental authority at the following locations.

ERA	Location	Place
s.73		
ERA 28 Motor vehicle workshop ERA 84(b) Regulated waste storage	Blinzinger Road, Banyo 4014	Lot 1 and 2 on Plan RP124669, Title Reference 14462161, Lot 1 on Plan RP82824, Title Reference 12902164, and Lot 2 on Plan RP82824, Title Reference 12902165

Amendments

(A9) The holder of this environmental authority may amend the IEMS as well as any other plans required by this environmental authority.

(A10) The amendment must be properly incorporated to the original document.

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(A11) The holder of this environmental authority must not implement any amendment where such amendment would result in a contravention of any licence condition and or recent editions of the referred document(s) in this environmental authority.

End of Conditions for Schedule A

SCHEDULE B - AIR

Release of Contaminants to the Atmosphere

(B1) This environmentally relevant activity must be carried out by such practicable means necessary to prevent the release or the likelihood of release of contaminants, that will or may cause environmental harm.

Nuisance

(B2) Notwithstanding any other condition of this environmental authority no release of contaminants from the licensed place is to cause a noxious or offensive odour beyond the boundaries of the licensed place.

End of Conditions for Schedule B

SCHEDULE C - WATER

(C1) Contaminants that will or may cause environmental harm, must not be directly or indirectly released from the licensed place to any waters or the bed and banks of any waters except:

(i) as permitted under the stormwater management schedule; or
(ii) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Conditions for Schedule C

SCHEDULE D - STORMWATER MANAGEMENT

General

(D1) The maintenance, cleaning and washdown of vehicles, transformers and any other equipment or plant must be carried out in areas from where contaminants cannot be released to any waters, roadside gutter or stormwater drainage system.

(D2) Any spillage of wastes, contaminants or other materials capable of causing environmental harm or nuisance must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Stormwater Management Plan

(D3) The holder of this environmental authority must have developed and implemented an effective and appropriate Stormwater Management Plan.

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Washing and cleaning of vehicles and other equipment and plant

(D4) Waste generated by the washing and cleaning of vehicles and other equipment and plant must be treated by:

(i) an oil/water separator; and
(ii) a sediment collection sump or trap.

(D5) The oil/water separator must be operated and maintained such that:

(i) the oil and grease concentration of the waste is minimised to the greatest practicable extent;
(ii) collected waste oil and sludge from the oil/water separator is removed as often as necessary to ensure effective operation of the separator; and
(iii) detergents or other emulsifying agents are prevented as far as reasonable and practicable from entering the separator.

(D6) A record must be maintained of the time and date of the desludging and maintenance of the oil/water separator.

(D7) Drains and bunds must be provided to ensure surface stormwater runoff is excluded from the washing area.

(D8) Washing, cleaning and draining of batteries must be carried out in areas from where resultant contaminants cannot be released to any land, waters, roadside gutter or stormwater drainage system.

Bunding

(D9) All chemical tank storages including storages of fuel, oil, paints, solvents, solvents baths, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest storage tank plus ten percent (10%) of the second largest tank within the bund.

(D10) All chemical drum storages including storages of fuel, oil, paints, solvents, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least twenty five percent (25%) of the maximum design storage volume within the bund.

(D11) Drums containing waste oil with PCB are not required to be bunded as long as they are stored in relocatable bulk dangerous good stores at the location indicated in the environmental site map of the Banyo Complex No 12U_S103/F provided on 3 December (Reference: ENV99396).

(D12) All areas used for the storage of damaged transformer(s) must be bunded so that the capacity of the bund is sufficient to contain any spillage, leakage or other escape of polychlorinated biphenyls and other contaminants contained in the transformer(s)..

(D13) All bunding must be constructed of materials which are impervious to the materials stored.

(D14) All bunded areas must be roofed where practicable.

(D15) Where it is impractical to completely roof a bunded area the holder of this environmental authority must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.

(D16) A collection sump must be provided in the floor of the bunding to facilitate the removal of liquids. The bund floor must be graded so that the fall is towards the collection sump.

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(D17) All required pipework from the bunded areas must be directed over the bund wall and not through it.

(D18) All empty drums must be stored on a concrete hardstand area with their closures in place.

(D19) All drums and other containers which have held solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be stored in a bunded area.

(D20) All drums containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be sealed to prevent loss of contents or exposure of the contents to the atmosphere.

(D21) There must be no visible leakage of the contents of any drum containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste.

End of Conditions for Schedule D

SCHEDULE E - LAND APPLICATION

Release of Contaminants to Land

(E1) There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land, including battery acid, solvents, polychlorinated biphenyls and waste oil.

End of Conditions for Schedule E

SCHEDULE F - NOISE

Emission of Noise

(F1) In the event of a complaint made to the administering authority about noise that is unreasonable and/or intrusive, and that the administering authority considers is not frivolous or vexatious, then the emission of noise from the licensed place, except for blasting noise, must not result in levels greater than those specified in Schedule F Table 1.

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SCHEDULE F - TABLE 1

LIMITS AT A NOISE SENSITIVE PLACE	
Period	***Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 5 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 5 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 3 dB(A)
All other times and public holidays	Background noise level
LIMITS AT A COMMERCIAL PLACE	
Period	***Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 10 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 10 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 8 dB(A)
All other times and public holidays	Background noise level plus 5 dB(A)

End of Conditions for Schedule F

SCHEDULE G - WASTE MANAGEMENT

General

(G1) Waste oil and polychlorinated biphenyls that are regulated waste must be removed from the licensed place by a person licensed under the Environmental Protection Act 1994 to transport that waste.

(G2) The holder of this environmental authority must not:

(i) burn waste at or on the licensed place; nor
(ii) allow waste to burn or be burnt at or on the licensed place; nor
(iii) remove waste from the licensed place and burn such waste elsewhere.

Site-based Polychlorinated Biphenyl Management Plan

(G3) The holder of this environmental authority, must have developed and implemented a Site-based Polychlorinated Biphenyl Management Plan which details how the holder of this environmental authority will effectively and appropriately manage the transport, transfer, handling, storage and disposal of polychlorinated biphenyls so as to prevent, as far as is practicable, any environmental contamination being caused as a result of these activities.

(G4) The Site-based Polychlorinated Biphenyl Management Plan must provide for the following functions:

- prevention of incident stormwater and stormwater runoff from contacting polychlorinated biphenyls; and
- diversion of upstream runoff away from areas containing polychlorinated biphenyls; and
- minimisation of the size of areas containing polychlorinated biphenyls, and

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- cleaning of any spillage or other release of polychlorinated biphenyls, and
- the taking of all reasonable and practicable measures necessary to prevent and/or to minimise the likelihood of environmental harm (including contamination of stormwater, sewage and contamination of land) being caused in carrying out any transport, transfer, handling, storage and disposal of polychlorinated biphenyls; and
- an audit of the likely quantity of PCB contaminants at the licensed premises; and
- a management plan with a timeframe for the cessation of the environmentally relevant activity, as it relates to PCBs; and
- a sampling and analysis program to determine the concentration of polychlorinated biphenyls in waste and materials handled in carrying out the environmentally relevant activity, including the keeping of records identifying the waste and material handled with cross referencing to analysis results; and
- methods to manage any emergency situation where there is a release of PCB waste to the environment; and
- staff training in the competent carrying out of the environmentally relevant activity and awareness of environmental issues related to the environmentally relevant activity; and
- continuous monitoring and annual review of the systems and strategy of the plan in order to identify and implement changes that will improve the plan.

(G5) In developing and implementing the Site-based Polychlorinated Biphenyl Management Plan, the holder of this environmental authority must have regard to the "Polychlorinated Biphenyls Management Plan" endorsed by the Australian and New Zealand Environment and Conservation Council (ANZECC).

(G6) A copy of the Site-based Polychlorinated Biphenyl Management plan must be kept at each licensed place in or on which polychlorinated biphenyls are handled.

Off Site Movement

(G7) Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority must monitor and keep records of the following:

(a) the date, quantity and type of waste removed; and
(b) name of the waste transporter and/or disposal operator that removed the waste; and
(c) the intended treatment/disposal destination of the waste; and
(d) where the waste is a polychlorinated biphenyl, the concentration of polychlorinated biphenyls in the waste.

(G8) All disposal of wastes generated in carrying out the environmentally relevant activity must be to a proper and appropriate facility that accepts such wastes, except as specifically provided for under the conditions of this environmental authority.

(G9) Regulated waste such as polychlorinated biphenyls, paints, sludges, solvents and waste oil must not be placed in industrial bins or other containers that would result in that waste entering the general waste stream.

(G10) Records of trade waste agreements must be kept at the licensed place to which they relate and be made available to an authorised person who asks to see them.

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Notification of Improper Disposal Of Regulated Waste

(G11) If the holder of this environmental authority 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 environmental authority or improper or unlawful, then the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of Conditions for Schedule G

SCHEDULE H - SELF MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the 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) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

Notification of Emergencies and Incidents

(H2) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, as soon as practicable after becoming aware of any emergency or incident that results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.

(H3) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, the notification of emergencies or incidents as required by condition number H2 must include but not be limited to the following:

(a) the name of the holder of the environmental authority;
(b) the location of the emergency or incident;
(c) the number of the environmental authority;
(d) the name and telephone number of the designated contact person;
(e) the time of the release;
(f) the time the holder of the environmental authority became aware of the release;
(g) the suspected cause of the release;
(h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
(i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

EHP RTI Disclosure

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(H4) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, not more than fourteen (14) days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition H3 in addition to:

(a) proposed actions to prevent a recurrence of the emergency or incident; and
(b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
(c) the results of any environmental monitoring performed.

(H5) The holder of this environmental authority must ensure that the results of all monitoring performed in accordance with this environmental authority for the period covered by the return are submitted with the Annual Return.

Noise Monitoring

(H6) For the purposes of checking compliance with condition F1 and investigating any complaint made about noise that allegedly constitutes an annoyance, monitoring and recording of the noise levels from the activity/activities must be undertaken for the following descriptors, characteristics and conditions:

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

(H7) Environmental noise monitoring must be undertaken to investigate any complaint of noise annoyance upon receipt of a written request from the administering authority to carry out such monitoring.

(H8) The method of measurement and reporting of noise levels must comply with the Department of Environment and Heritage Noise Measurement Manual; second edition, March 1995, or more recent editions or supplements to that document as become available.

(H9) 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.

(H10) Records must be kept of the results of all monitoring of noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.

End of Conditions for Schedule H

SCHEDULE I - DEFINITIONS

For the purposes of this environmental authority the following definitions apply:

(I1) "administering authority" means the Environmental Protection Agency or its successor.

(I2) "land" means land excluding waters and the atmosphere.

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(I3) "polychlorinated biphenyl" and 'PCB" means a substance in which the biphenyl structure has chlorine atoms substituted for hydrogen atoms to varying degrees. PCB has the chemical formula $C_{12}H_{10-n}Cl_n$ where 'n' is a number in the range 1 to 10 inclusive.

(I4) Any non-domestic waste, other than contaminated soil, with a concentration of PCB which is greater than 2 mg/kg (ppm) is regulated waste, due to the PCB content.

(I5) Any waste, other than contaminated soil, with a concentration of PCB which is equal to or less than 2 mg/kg (ppm) is not regulated waste, due to the PCB content.

(I6) Soil which has a concentration greater than 2 mg/kg (ppm) is contaminated soil, and hence regulated waste, due to the PCB content.

(I7) "$L_{Amax\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I8) "background noise level" means either:

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

$L_{abg,\ T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than fifteen (15) minutes, using Fast response.

(I9) "Max $L_{pA,\ T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I10) "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.

(I11) "commercial place" means a place used as an office or for business or commercial purposes.

(I12) "unreasonable noise" means noise that causes unlawful environmental harm.

(I13) "intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration that is

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

End of Conditions for Schedule I

END OF CONDITIONS

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Section 3.5.15 *Integrated Planning Act 1997*

EPA Permit[1] number: IPDE00835608

EPA Permit[1] number:	IPDE00835608
Assessment Manager reference:	as above
Date application received by EPA:	11-JAN-2008
Permit[1] Type:	Development Approval for a MCU involving an ERA
Date of Decision:	**11 March 2008**
Decision:	Granted in full with conditions
Relevant Laws and Policies:	*Environmental Protection Act 1994* and any subordinate legislation

Development Description

Property	Lot/Plan	Aspect of Development
46 blinzinger RD, BANYO QLD 4014	Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824	ERA 11(a) Crude oil storing or petroleum product storing - crude oil or petroleum product in tanks or containers having a combined total storage capacity of 10 000 L or more but less than 500 000 L.

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Additional comments or advice about the application

None

Additional information for applicants

The standard currency periods stated in section 3.5.21 of the Integrated Planning Act 1997 or the nominated currency period, apply to each aspect of development in this permit1. For information on when this permit[1] takes effect and the relevant currency periods, please see point 3 in the Notice of Decision.

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

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Contaminated Land

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

Environmentally Relevant Activities

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

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

In addition to this permit, the person to carry out the ERA must be a registered operator under the Environmental Protection Act 1994. For the person to become a registered operator, they must apply for a registration certificate under section 73F of the Environmental Protection Act 1994.

[redacted] 11/3/8

Rod Kent
Delegate
Environmental Protection Agency

EHP RTI DL Release

CONDITIONS OF APPROVAL

Agency Interest: General

G1 **Prevent and/or minimise likelihood of environmental harm**

In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused.

G2 **Maintenance Of Measures, Plant and Equipment**

The registered operator must:
(a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval;
(b) maintain such measures, plant and equipment in a proper and efficient condition; and
(c) operate such measures, plant and equipment in a proper and efficient manner.

G3 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 environmental authority. An example of a substantial increase in the risk of environmental harm is an increase of 10% or more in the quantity of the contaminant to be released into the environment.

G4 **Environmental Management System**

From commencement of an ERA to which this approval relates, an Environmental Management System must be implemented. The EMS 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 EMS must also provide for the review and 'continual improvement' in the overall environmental performance of all ERA's that are carried out.

The EMS must address the following matters:

a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals.
b) Identification of environmental issues and potential impacts.
c) Control measures for routine operations to minimise likelihood of environmental harm.
d) Contingency plans and emergency procedures for non-routine situations.
e) Organisational structure and responsibility.
f) Effective communication.
g) Monitoring of contaminant releases.
h) Conducting environmental impact assessments.
i) Staff training.
j) Record keeping.
k) Periodic review of environmental performance and continual improvement.

G5 The Environmental Management System must not be implemented or amended in a way that contravenes any condition of this approval.

RMP RTI DL Release

G6 **Off-Site Movement**

All disposal of wastes, including polychlorinated biphenyls generated in carrying out the environmentally relevant activity must be to a proper and appropriate facility that accepts such wastes.

G7 **Notification**

Telephone the EPA's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.

G8 **Notification of Emergencies and Incidents**

A written notice detailing the following information must be provided to the EPA within 14 days of any advice provided in accordance with condition G10:

(a) the name of the holder of the development approval;
(b) the name and telephone number of the designated contact person;
(c) person/s involved;
(d) the location and time of the emergency or incident;
(e) the time the holder of the environmental authority became aware of the emergency or incident;
(f) the suspected cause of the release;
(g) a description of the effects of the release;
(h) the results of any environmental monitoring performed in relation to the release;
(i) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release;
(j) proposed actions to prevent a recurrence of the incident.

G9 **Complaint Recording**

All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the 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) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

G10 **Spill Kit**

An appropriate spill kit and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site.

G11 **Spill Kit Training**

Anyone operating under this approval must be trained in the use of the spill kit.

G12 **Monitoring**

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

G13 **Equipment Calibration**

All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.

EHP RTI DL Release

Agency Interest: Air

Nuisance

A1 Notwithstanding any other condition of this development approval no release of contaminants from the licensed place is to cause a noxious or offensive odour beyond the boundaries of the licensed place.

Agency Interest: Noise

N1 **Noise Nuisance**
Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

N2 All noise from activities must not exceed the levels specified in Table 1 – noise limits at any nuisance sensitive or commercial place.

TABLE 1- NOISE

NOISE LIMITS AT A NOISE SENSITIVE PLACE	
Period	***Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 5 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 5 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 3 dB(A)
All other times and public holidays	Background noise level
NOISE LIMITS AT A COMMERCIAL PLACE	
Period	***Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 10 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 10 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 8 dB(A)
All other times and public holidays	Background noise level plus 5 dB(A)

ERR RTI DL Release

Agency Interest: Water

W1 Contaminants must not be directly or indirectly released from the site to any waters or the bed and banks of any waters except as permitted under the water schedule, or to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

W2 Any spillage of wastes, contaminants or other materials capable of causing environmental harm or nuisance must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Bunding:

W3 All tank storages must be bunded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest storage tank plus ten percent (10%) of the second largest tank within the bund.

W4 All bunding must be constructed of materials which are impervious to the materials stored.

W5 All bunded areas must be roofed where practicable.

W6 Where it is impractical to completely roof a bunded area the holder of this environmental authority must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.

W7 All required pipework from the bunded areas must be directed over the bund wall and not through it.

W8 All drums and other containers which have held polychlorinated biphenyls, oils, waste oils, or regulated waste must be stored in a bunded area.

W9 All drums containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be sealed to prevent loss of contents or exposure of the contents to the atmosphere.

W10 There must be no visible leakage of the contents of any drum containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste.

Agency Interest: Land

L1 Contaminants must not be released to land, including new oil and polychlorinated biphenyls waste oil.

EHP RTI DL Release

DEFINITIONS

Words and phrases used throughout this permit[1] are defined below. Where a definition for a term used in this permit[1] is sought and the term is not defined within this permit[1] the definitions provided in the relevant legislation shall be used.

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

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Integrated Planning Act 1997*.

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

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

"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.

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

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

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

In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 – 1997 Acoustics – Description and Measurement of Environmental Noise Part 2 – Application to Specific Situations.

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

"mg/L" means milligrams per litre.

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

"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.

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

"protected area" means –

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

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

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

EHP RTI DL Release

- 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.

"you" means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

END OF CONDITIONS

EHP RTI DL Release

Department of Environment and Resource Management

Notice of decision - Permit[1] amendment

This notice is issued by the Department of Environment and Resource Management (DERM) to advise of a statutory decision.

Energex Limited
GPO Box 1461
BRISBANE. QLD 4001

Our reference: 240714

Dear Sir/Madam,

Please find attached your registration certificate which has been amended as a result of the information supplied on the 20th June, 2011

Action	Permit Number	Decision
Amend Registration Certificate under Environmental Protection Act 1994 – to reflect the changes requested on the 20th June, 2011.	ENRE01018309	Granted

If you require more information please contact Derek Robson on the telephone number listed below.

Yours sincerely

sch4p4(6) Personal information

Derek Robson
Department of Environment and Resource Management
10-AUGUST-2011

Enquiries:
Permit and Licence Management
Implementation & Support Unit
Department of Environment and Resource Management
GPO Box 2454
Brisbane Queensland 4001
Phone: 1300 130 372
Fax: 07 3896 3342
E-mail: palm@derm.qld.gov.au

Attachment

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

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

Queensland Government

LHP RTI DL Release

Department of Environment and Resource Management

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE01018309

This amended registration certificate is issued by the administering authority and takes effect from: 10th August, 2011.
The anniversary day for the purposes of the Annual Return remains: 29th JANUARY.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity listed below at the following places subject to the conditions set out in a development approval's IPDE00850408, IPDE00850508, IPDE00850608 and IPDE00850308 attached to the premises.

Registered Operator:-
Energex Limited
26 Reddacliff Street
NEWSTEAD QLD 4006

Place:-
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824

Located at:-
46 Blinzinger Road,BANYO QLD 4014

Development Approval:
IPDE00850408

Registered Activity: -
ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles

EHP RTI DL Release

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

Queensland Government

elea

Department of Environment and Resource Management

Registration certificate
No: ENRE01018309

Place:-
s.73

updated to Aglimore as per SMIS

Located at:-
s.73

Development Approval:
IPDE00850508

Registered Activity/ies: -
ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles

Place:-
s.73

Located at:-
s.73

as per SMIS

Development Approval:
IPDE00850608

Registered Activity/ies: -
ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles

EHP RTI DL Release

Department of Environment and Resource Management

Registration certificate
No: ENRE01018309

Place:-

s.73

Located at:-

s.73

Development Approval:
IPDE00850308

Registered Activity/ies: -
ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles

sch4p4(6) Personal information

Delegate
Derek Robson
Department of Environment and Resource Management
Environmental Protection Act 1994

10-AUG-2011

EHP RTI DL Release

☐ For Regional Information & Filing ☐ Regional Action Required

Admin Office: Sunshine Coast Project No: 240714

DEEDI Office: ..... CROW entry: 64401

PaLM Customer Service Unit

APPLICATION VALIDATION CHECKLIST

ADMINISTRATIVE AMENDMENT

Permit Holder: Energex limited

Tenure (mining only): .....

Application received: 20/06/2011 **Received by:** Kelly Goodfellow

Reason for Request for Amendment:
- ☑ Change of Address
- ☐ Administrative Error
- ☐ Other

Details of request:

change of registered address.
ENREG10183009
Address already changed in system
Re-issued reg certificate

Action required:

Re-issue registration certificate.

Indicate by: Yes - ☑ or No - ☒. **Leave unmarked if not applicable**

☐ Written Application ☐ Email ☐ Fax (attached)

☐ Phone Request ☐ Received From (☑ appropriate)

☐ Regional Staff .....) Contact No .....

☐ Permit Holder .....)

☐ Permit Transfer (MINING ONLY) ☐ Amendment Issued (☑ appropriate)

Original Project Manager: .....

"Amending" Project Manager .....

Date: ...../...../ 20

EHP RTI DL Release

ASIC & Business Names

ORGANISATIONAL SEARCH ON ENERGEX LIMITED

Current Extract

This information was extracted from ASIC database on 20 June 2011 at 12:32PM

Section 1274B This extract has been prepared by the Australian Securities & Investments Commission from information it obtained, by using a data processor, from the national database. If you believe that this extract contains any error or omission please advise the A.S.I.C. promptly. The Information Division of the Australian Securities & Investments Commission is certified under the Australian Quality Standard AS 3901 (International Standard ISO 9001).

078 849 055	ENERGEX LIMITED	DOCUMENT NO.
ACN	078 849 055	
ABN	40 078 849 055	
Registered in	Queensland	
Date Registered	01-Jul-1997	
Review Date	31-Oct-2011	
Governance Type	Constitution	

Current Organisation Details

Name	ENERGEX LIMITED	019618643
Name Start	15-Dec-1998	
Status	REGISTERED	
Type	AUSTRALIAN PUBLIC COMPANY	
Class	LIMITED BY SHARES	
Subclass	UNLISTED PUBLIC COMPANY	
Disclosing Entity	NO	

Current Registered Office

Address	26 REDDACLIFF STREET, NEWSTEAD, QLD, 4006	7E3290527
Start Date	18-Nov-2010	

Current Principal Place of Business

Address	26 REDDACLIFF STREET, NEWSTEAD, QLD, 4006	7E3290527
Start Date	05-Nov-2010	

Current Director

Officer Name	JOHN PATRICK DEMPSEY	015859963
ABN	Not available	
Birth Details	29-Mar-1946 ROCKHAMPTON QLD	
Address	7 AURIGA COURT, WYNNUM, QLD, 4178	
Appointment Date	01-Jul-1999	

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Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE01018309

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 11 December 2009 and takes effect from 29 January 2010.

The anniversary day for the purposes of the Annual Return remains: 29 January.

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

Registered Operator:-
Energex Limited
150 Charlotte Street
BRISBANE QLD 4000

Place:-	Located at:-	Registered Activities	Development Approval
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824	46 Blinzinger RD, BANYO QLD 4014	ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles	IPDE00850408

73(2)Irrelevant

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Certificate of Registration
No: ENRE01018309

73(2)Irrelevant

Delegate
Administering authority
Environmental Protection Act 1994

10-AUG-2010

EHP RTI DL Release

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Certificate of Registration

No: ENRE00738108

This registration certificate is issued by the Environmental Protection Agency and takes effect from: 29 January 2008.

The anniversary day for the purposes of the Annual Return is 29 January

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

EHP PTI DL Release

Registered Operator:-
Energex Limited
150 Charlotte Street
BRISBANE QLD 4000

Place:-
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824

Located at:-
46 Blinzinger Road, BANYO QLD 4014

Registered Activities: -
ERA 11(a) Crude oil storing or petroleum product storing - crude oil or petroleum product in tanks or containers having a combined total storage capacity of 10 000 L or more but less than 500 000 L.
ERA 28 Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm or under a mining tenement) or on a commercial basis.
ERA 84(b) Regulated waste storage - operating a facility for receiving and storing regulated waste [other than 84(a)] - excepting (i) on a farm for use as a soil conditioner or fertiliser in carrying out an agricultural activity; or (ii) for use in manufacturing a saleable product under another item of this schedule; or (iii) for incineration under item 76; or (iv) recycling, reprocessing or reconditioning under items 77 to 79 or 81).

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

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

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Development Permit

EPA Permit[1] number:	IPDE00850408
Application (Converted Development Approval) No.	SR0450
Relevant Laws and Policies:	*Environmental Protection Act 1994* and any subordinate legislation

Development Description

Property/Location

Lot 1 & 2 on RP124669 and Lot 1 & 2 on RP82824, County of Stanley, Parish of Toombul.

located at: Blinzinger Road
BANYO QLD 4014

Carrying out of Environmentally Relevant Activity (ERA)

28 - Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm) or on a commercial basis

84(b) - Regulated waste storage - operating a facility for receiving and storing other regulated waste, other than waste stored.

(i) on a farm for use as a soil conditioner or fertiliser in carrying out an agricultural activity; or
(ii) for use in manufacturing a saleable product under another item of this schedule; or
(iii) for incineration under item 76; or
(iv) recycling, reprocessing or reconditioning under items 77 to 79 or 81).

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 thirty (30) days after becoming so aware, give notice to the Environmental Protection Agency.

Environmentally Relevant Activities

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

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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

In addition to this permit, the person to carry out the ERA must be a registered operator under the *Environmental Protection Act 1994*. For the person to become a registered operator, they must apply for a registration certificate under section 73F of the *Environmental Protection Act 1994*.

sch4p4(6) Personal information

Delegate of Administering Authority
Environmental Protection Act 1994

Date: 12/9/08

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[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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Conditions of the Development Approval

This development approval consists of the following schedules of conditions relevant to various issues:

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

This development approval consists of the following schedules-

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule F - Noise

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I - Definitions

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[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE A - GENERAL CONDITIONS

Display of Development Approval

(A1) A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A2) Any record or document required to be kept by a condition of this development approval must be kept at the approved place for a period of at least five years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

(A3) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development approval.

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

Calibration

(A4) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this development approval must be calibrated, and appropriately operated and maintained.

Integrated Environmental Management System (IEMS)

(A5) The registered operator of this development approval must have developed and implemented an Integrated Environmental Management System (IEMS) which provides for the effective and appropriate management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activity/activities.

(A6) The Integrated Environmental Management System must provide for at least the following functions:

(i) The monitoring of releases of contaminants into the environment for example, monitoring of stormwater to ensure effectiveness of procedures adopted;

(ii) The assessment of the environmental impacts of any releases of contaminants into the environment, for example, monitoring of noise emissions to resolve a complaint; and

(iii) The training of all relevant staff, agents and contractors ("staff") to competent levels in at least the following:

(a) The environmental policy of the registered operator of the development approval so that staff are aware of any relevant commitments to environmental management; and
(b) Any relevant environmental objectives and targets so that all staff are aware of the relevant performance objectives and can work towards these; and
(c) Control procedures for routine operations for day to day operational activities to prevent or minimise environmental harm, however occasioned or caused; and
(d) Contingency plans and emergency procedures 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

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

EHP RTI Disclosure

(e) Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
(f) Effective communication to ensure two-way communication on environmental matters between operational staff and management as well as communications with the administering authority; and
(g) Documentation systems so that appropriate records of environmental matters are kept to satisfy the registered operator of this development approval, the administering authority and the community that the applicant is meeting environmental commitments; and
(h) Responsibilities of the registered operator of this development approval and staff under the Act so that these can be met; and

(iii) The conduct of environmental and energy audits to review periodically:

(a) the level of environmental performance; and
(b) the effectiveness of environmental management procedures adopted; and

(iv) The implementation of an effective and appropriate practices and procedures for management of waste.

(A7) The registered operator of this development approval must prepare a report summarising the outcomes of the environmental and energy audits required by condition A6(iii) and submit the report with the annual return which follows the conduct of the audits.

(A8) The IEMS must address the management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activities by the registered operator of this development approval at the following locations.

ERA	Location	Place
ERA 28 Motor vehicle workshop ERA 84(b) Regulated waste storage	Blinzinger Road, BANYO QLD 4014	Lot 1 and 2 on Plan RP124669, Title Reference 14462161, Lot 1 on Plan RP82824, Title Reference 12902164 and Lot 2 on Plan RP82824, Title Reference 12902165

Amendments

(A9) The registered operator of this development approval may amend the IEMS as well as any other plans required by this development approval.

(A10) The amendment must be properly incorporated to the original document.

(A11) The registered operator of this development approval must not implement any amendment where such amendment would result in a contravention of any development approval condition and or recent editions of the referred document(s) in this development approval.

End of Conditions for Schedule A

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[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE B - AIR

Release of Contaminants to the Atmosphere

(B1) This environmentally relevant activity must be carried out by such practicable means necessary to prevent the release or the likelihood of release of contaminants, that will or may cause environmental harm.

Nuisance

(B2) Notwithstanding any other condition of this development approval no release of contaminants from the approved place is to cause a noxious or offensive odour beyond the boundaries of the approved place.

End of Conditions for Schedule B

EHP RTI DL Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE C - WATER

(C1) Contaminants that will or may cause environmental harm, must not be directly or indirectly released from the approved place to any waters or the bed and banks of any waters except:

(i) as permitted under the stormwater management schedule; or
(ii) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Conditions for Schedule C

EHP RTI DL Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE D - STORMWATER MANAGEMENT

General

(D1) The maintenance, cleaning and washdown of vehicles, transformers and any other equipment or plant must be carried out in areas from where contaminants cannot be released to any waters, roadside gutter or stormwater drainage system.

(D2) Any spillage of wastes, contaminants or other materials capable of causing environmental harm or nuisance must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Stormwater Management Plan

(D3) The registered operator of this development approval must have developed and implemented an effective and appropriate Stormwater Management Plan.

Washing and Cleaning of Vehicles and other Equipment and Plant

(D4) Waste generated by the washing and cleaning of vehicles and other equipment and plant must be treated by:

(i) an oil/water separator; and
(ii) a sediment collection sump or trap.

(D5) The oil/water separator must be operated and maintained such that:

(i) the oil and grease concentration of the waste is minimised to the greatest practicable extent;
(ii) collected waste oil and sludge from the oil/water separator is removed as often as necessary to ensure effective operation of the separator; and
(iii) detergents or other emulsifying agents are prevented as far as reasonable and practicable from entering the separator.

(D6) A record must be maintained of the time and date of the desludging and maintenance of the oil/water separator.

(D7) Drains and bunds must be provided to ensure surface stormwater runoff is excluded from the washing area.

(D8) Washing, cleaning and draining of batteries must be carried out in areas from where resultant contaminants cannot be released to any land, waters, roadside gutter or stormwater drainage system.

Bunding

(D9) All chemical tank storages including storages of fuel, oil, paints, solvents, solvents baths, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest storage tank plus ten percent (10%) of the second largest tank within the bund.

(D10) All chemical drum storages including storages of fuel, oil, paints, solvents, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least twenty five percent (25%) of the maximum design storage volume within the bund.

EHP RTI DL Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

(D11) Drums containing waste oil with PCB are not required to be bunded as long as they are stored in relocatable bulk dangerous good stores at the location indicated in the environmental site map of the Banyo Complex No 12U_S103/F provided on 3 December (Reference: ENV99396).

(D12) All areas used for the storage of damaged transformer(s) must be bunded so that the capacity of the bund is sufficient to contain any spillage, leakage or other escape of polychlorinated biphenyls and other contaminants contained in the transformer(s)..

(D13) All bunding must be constructed of materials which are impervious to the materials stored.

(D14) All bunded areas must be roofed where practicable.

(D15) Where it is impractical to completely roof a bunded area the registered operator of this development approval must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.

(D16) A collection sump must be provided in the floor of the bunding to facilitate the removal of liquids. The bund floor must be graded so that the fall is towards the collection sump.

(D17) All required pipework from the bunded areas must be directed over the bund wall and not through it.

(D18) All empty drums must be stored on a concrete hardstand area with their closures in place.

(D19) All drums and other containers which have held solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be stored in a bunded area.

(D20) All drums containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be sealed to prevent loss of contents or exposure of the contents to the atmosphere.

(D21) There must be no visible leakage of the contents of any drum containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste.

End of Conditions for Schedule D

EHP RTI DL Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE E - LAND APPLICATION

Release of Contaminants to Land

(E1) There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land, including battery acid, solvents, polychlorinated biphenyls and waste oil.

End of Conditions for Schedule E

EHP RTI DL Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE F - NOISE

Emission of Noise

(F1) In the event of a complaint made to the administering authority about noise that is unreasonable and/or intrusive, and that the administering authority considers is not frivolous or vexatious, then the emission of noise from the approved place, except for blasting noise, must not result in levels greater than those specified in Schedule F Table 1.

SCHEDULE F - TABLE 1

NOISE LIMITS AT A NOISE SENSITIVE PLACE	
Period	***Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 5 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 5 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 3 dB(A)
All other times and public holidays	Background noise level
NOISE LIMITS AT A COMMERCIAL PLACE	
Period	***Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 10 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 10 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 8 dB(A)
All other times and public holidays	Background noise level plus 5 dB(A)

End of Conditions for Schedule F

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[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE G - WASTE MANAGEMENT

General

(G1) Waste oil and polychlorinated biphenyls that are regulated waste must be removed from the approved place by a person approved under the *Environmental Protection Act 1994* to transport that waste.

(G2) The registered operator of this development approval must not:

(i) burn waste at or on the approved place; nor
(ii) allow waste to burn or be burnt at or on the approved place; nor
(iii) remove waste from the approved place and burn such waste elsewhere.

Site-Based Polychlorinated Biphenyl Management Plan

(G3) The registered operator of this development approval, must have developed and implemented a Site-based Polychlorinated Biphenyl Management Plan which details how the registered operator of this development approval will effectively and appropriately manage the transport, transfer, handling, storage and disposal of polychlorinated biphenyls so as to prevent, as far as is practicable, any environmental contamination being caused as a result of these activities.

(G4) The Site-Based Polychlorinated Biphenyl Management Plan must provide for the following functions:

- prevention of incident stormwater and stormwater runoff from contacting polychlorinated biphenyls; and
- diversion of upstream runoff away from areas containing polychlorinated biphenyls; and
- minimisation of the size of areas containing polychlorinated biphenyls, and
- cleaning of any spillage or other release of polychlorinated biphenyls, and
- the taking of all reasonable and practicable measures necessary to prevent and/or to minimise the likelihood of environmental harm (including contamination of stormwater, sewage and contamination of land) being caused in carrying out any transport, transfer, handling, storage and disposal of polychlorinated biphenyls; and
- an audit of the likely quantity of PCB contaminants at the approved premises; and
- a management plan with a timeframe for the cessation of the environmentally relevant activity, as it relates to PCBs; and
- a sampling and analysis program to determine the concentration of polychlorinated biphenyls in waste and materials handled in carrying out the environmentally relevant activity, including the keeping of records identifying the waste and material handled with cross referencing to analysis results; and
- methods to manage any emergency situation where there is a release of PCB waste to the environment; and
- staff training in the competent carrying out of the environmentally relevant activity and awareness of environmental issues related to the environmentally relevant activity; and
- continuous monitoring and annual review of the systems and strategy of the plan in order to identify and implement changes that will improve the plan.

(G5) In developing and implementing the Site-based Polychlorinated Biphenyl Management Plan, the registered operator of this development approval must have regard to the "Polychlorinated Biphenyls Management Plan" endorsed by the Australian and New Zealand Environment and Conservation Council (ANZECC).

(G6) A copy of the Site-based Polychlorinated Biphenyl Management plan must be kept at each approved place in or on which polychlorinated biphenyls are handled.

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[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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Off Site Movement

(G7) Where regulated waste is removed from the approved place (other than by a release as permitted under another schedule of this development approval), the registered operator of this development approval must monitor and keep records of the following:

(a) the date, quantity and type of waste removed; and
(b) name of the waste transporter and/or disposal operator that removed the waste; and
(c) the intended treatment/disposal destination of the waste; and
(d) where the waste is a polychlorinated biphenyl, the concentration of polychlorinated biphenyls in the waste.

(G8) All disposal of wastes generated in carrying out the environmentally relevant activity must be to a proper and appropriate facility that accepts such wastes, except as specifically provided for under the conditions of this development approval.

(G9) Regulated waste such as polychlorinated biphenyls, paints, sludges, solvents and waste oil must not be placed in industrial bins or other containers that would result in that waste entering the general waste stream.

(G10) Records of trade waste agreements must be kept at the approved place to which they relate and be made available to an authorised person who asks to see them.

Notification of Improper Disposal of Regulated Waste

(G11) If the registered operator of this development approval becomes aware that a person has removed regulated waste from the approved place and disposed of the regulated waste in a manner which is not authorised by this development approval or improper or unlawful, then the registered operator of this development approval must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of Conditions for Schedule G

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SCHEDULE H - MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received by the registered operator of this development approval relating to releases of contaminants from operations at the approved 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) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

Notification of Emergencies and Incidents

(H2) Where the registered operator of this development approval has not given notification to the administering authority under Section 37 of the *Environmental Protection Act*, as soon as practicable after becoming aware of any emergency or incident that 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 registered operator of this development approval must notify the administering authority of the release by telephone or facsimile.

(H3) Where the registered operator of this development approval has not given notification to the administering authority under Section 37 of the *Environmental Protection Act*, the notification of emergencies or incidents as required by condition number H2 must include but not be limited to the following:

(a) the name of the registered operator of the development approval;
(b) the location of the emergency or incident;
(c) the number of the development approval;
(d) the name and telephone number of the designated contact person;
(e) the time of the release;
(f) the time the registered operator of the development approval became aware of the release;
(g) the suspected cause of the release;
(h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
(i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(H4) Where the registered operator of this development approval has not given notification to the administering authority under Section 37 of the *Environmental Protection Act*, not more than fourteen (14) days following the initial notification of an emergency or incident, the registered operator of the development approval must provide written advice of the information supplied in accordance with condition H3 in addition to:

(a) proposed actions to prevent a recurrence of the emergency or incident; and
(b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
(c) the results of any environmental monitoring performed.

(H5) The registered operator of this development approval must ensure that the results of all monitoring performed in accordance with this development approval for the period covered by the return are submitted with the Annual Return.

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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Noise Monitoring

(H6) For the purposes of checking compliance with condition F1 and investigating any complaint made about noise that allegedly constitutes an annoyance, monitoring and recording of the noise levels from the activity/activities must be undertaken for the following descriptors, characteristics and conditions:

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

(H7) Environmental noise monitoring must be undertaken to investigate any complaint of noise annoyance upon receipt of a written request from the administering authority to carry out such monitoring.

(H8) The method of measurement and reporting of noise levels must comply with the *Department of Environment and Heritage Noise Measurement Manual; second edition, March 1995*, or more recent editions or supplements to that document as become available.

(H9) 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.

(H10) Records must be kept of the results of all monitoring of noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.

End of Conditions for Schedule H

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[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE I - DEFINITIONS

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

(I1) "administering authority" means the Environmental Protection Agency or its successor.

(I2) "land" means land excluding waters and the atmosphere.

(I3) "polychlorinated biphenyl" and 'PCB" means a substance in which the biphenyl structure has chlorine atoms substituted for hydrogen atoms to varying degrees. PCB has the chemical formula $C_{12}H_{10-n}Cl_n$ where 'n' is a number in the range one (1) to ten (10) inclusive.

(I4) Any non-domestic waste, other than contaminated soil, with a concentration of PCB which is greater than 2 mg/kg (ppm) is regulated waste, due to the PCB content.

(I5) Any waste, other than contaminated soil, with a concentration of PCB which is equal to or less than 2 mg/kg (ppm) is not regulated waste, due to the PCB content.

(I6) Soil which has a concentration greater than 2 mg/kg (ppm) is contaminated soil, and hence regulated waste, due to the PCB content.

(I7) "$L_{Amax\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I8) "background noise level" means either:

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

$L_{abg,\ T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than fifteen (15) minutes, using Fast response.

(I9) "Max $L_{pA,\ T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I10) "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.

(I11) "commercial place" means a place used as an office or for business or commercial purposes.

(I12) "unreasonable noise" means noise that causes unlawful environmental harm.

(I13) "intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration that is

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

End of Conditions for Schedule I

END OF CONDITIONS

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00738108

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 29 January 2008.

The anniversary day for the purposes of the Annual Return is: 29 January

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:-
Energex Limited
150 Charlotte Street
BRISBANE QLD 4000

Development Approval Number: IPDE00850408

Place:-
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824
Located at:-
46 Blinzinger Road, BANYO QLD 4014
Registered Activity/ies: -
ERA 56 Regulated waste storage Threshold 2 - operating a facility for receiving and storing regulated waste other than tyres
ERA 8 Chemical storage Threshold 3(a) - storing 10m^3 to 500m^3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

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Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE01018309

This registration certificate is issued by the administering authority and is a replacement document for the original approval ENRE00738108 issued on: 29 January 2008.

The anniversary day for the purposes of the Annual Return remains: 29 January.

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

Registered Operator:-
Energex Limited
150 Charlotte Street
BRISBANE QLD 4000

Place:-	Located at:-	Registered Activities	Development Approval
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824	46 Blinzinger RD, BANYO QLD 4014	ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles	IPDE00850408

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Certificate of Registration
No: ENRE01018309

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Information sheet

Environmental Services

Internal review (EPA), and appeal to Planning and Environment Court

This information sheet forms part of an information notice under the Environmental Protection Act 1994 *(EP Act). It gives a summary of the process for review and appeal to the Planning and Environment Court under the EP Act and subordinate legislation. Refer to sections 519–539 and schedule 2 of the EP Act for complete information about the process for internal review and appeal to the Planning and Environment Court.*

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Introduction

The *Environmental Protection Act 1994* (EP Act) provides for a right of internal review and appeal against certain decisions made under the EP Act. Decisions that can be reviewed or appealed are listed in schedule 2 of the EP Act and within certain sections of the regulations and subordinate legislation[1] made under the EP Act. The EP Act also provides that a dissatisfied person for a review decision, other than those listed in part 1 of schedule 2 of the EP Act [2], may appeal the decision to the Planning and Environment Court (the Court).

Summary of the process for internal review and appeal to the Court

Chapter 11, Part 3 of the EP Act

Division 1 — Interpretation

Section 519 Original decisions

1) A decision mentioned in schedule 2 is an "original decision".
2) A decision under an environmental protection policy or regulation that the policy or regulation declares to be a decision to which this part applies is also an "original decision".

Section 520 Dissatisfied person

This section nominates the dissatisfied person for an original or review decision.

Division 2 — Internal review of decisions

Section 521 Procedure for review

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) 10 business days[3] 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.

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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 5 business 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 10 business 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 10 business 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.

13) Also, this section does not apply to an original decision to issue a clean-up notice.

Section 522 Stay of operation of original decisions

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 2, part 1—the Land Court; or

   b) for an original decision mentioned in schedule 2, part 2—the Court.

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

3) A stay may be given on conditions the Land Court or the Court considers appropriate and has effect for the period stated by the Land Court or the 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 Land Court or the Court allows the applicant to enable the applicant to appeal against the review decision.

Division 4 — Appeals to court

Section 531 Who may appeal

1) A dissatisfied person who is dissatisfied with a review decision, other than a review decision to which subdivision 1^4 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.

Section 532 How to start appeal

1) An appeal is started by—

   a) filing written notice of appeal with the registrar of the Court; and

   b) complying with rules of court applicable to the appeal.

2) The notice of appeal must be filed—

   a) if the appellant is the chief executive—within 33 business days after the decision is made or taken to have been made; or

   b) if the appellant is not the chief executive—within 22 business days after the day the appellant receives notice of the decision or the decision is taken to have been made.

3) The Court may at any time extend the period for filing the notice of appeal.

4) The notice of appeal must state fully the grounds of the appeal and the facts relied on.

Section 533 Appellant to give notice of appeal to other parties

1) Within 8 business days after filing the notice of appeal, the appellant must serve notice of the appeal on—

   a) if the appellant is the chief executive—all persons who were given notice of the original decision; or

   b) if the appellant is not the chief executive—the other persons who were given notice of the original decision.

2) The notice must inform the persons that, within 10 business days after service of the notice of appeal, they may elect to become a respondent to the appeal by filing in the Court a notice of election under rules of court.

Section 534 Persons may elect to become respondents to appeal

A person who properly files in the Court a notice of election becomes a respondent to the appeal.

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Information sheet

Internal review (EPA), and appeal to Planning and Environment Court

Section 535 Stay of operation of decisions

1) The Court may grant a stay of a decision appealed against to secure the effectiveness of the appeal.
2) A stay may be granted on conditions the Court considers appropriate and has effect for the period stated by the Court.
3) The period of a stay must not extend past the time when the Court decides the appeal.
4) An appeal against a decision does not affect the operation or carrying out of the decision unless the decision is stayed.

Section 536 Hearing procedures

1) The procedure for an appeal is to be in accordance with the rules of court applicable to the appeal or, if the rules make no provision or insufficient provision, in accordance with directions of the judge.
2) An appeal is by way of rehearing, unaffected by the administering authority's decision.

Section 537 Assessors

The judge hearing an appeal may appoint one or more assessors to assist where the appeal involves a question of special knowledge and skill.

Section 538 Appeals may be heard with planning appeals

Where an appeal is also made under the *Integrated Planning Act 1997* for a premises, the court may order that both appeals be heard together or consecutively, or one stayed until the other is decided. This may occur even if the parties to the appeals are not the same. This ensures that needless delays are minimised.

Section 539 Powers of Court on appeal

1) In deciding an appeal, the Court may—
   a) confirm the decision appealed against; or
   b) vary the decision appealed against; or
   c) set aside the decision appealed against and make a decision in substitution for the decision set aside.
2) If on appeal the Court acts under subsection (1)(b) or (c), the decision is taken, for this Act (other than this part), to be that of the administering authority.

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Disclaimer

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Environmental Protection Agency should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

Approved by:

Andrea Leverington
Executive Director, Environmental Services
Environmental Protection Agency

Enquiries:

Ecoaccess Customer Service Unit
Ph: **1300 368 326**
Fax: (07) 3115 9600
Email: eco.access@epa.qld.gov.au

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Internal review (EPA), and appeal to Planning and Environment Court

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[1] The original decisions under the subordinate legislation are subject to change. As at 1 January 2009 they are:
- Chapter 7 Part 3 of the *Environmental Protection Regulation 2008*; and
- Section 68C of the *Environmental Protection (Waste Management) Regulation 2000*.

[2] An appeal may be made to the Land Court for original decisions in part 1 of schedule 2.
[3] Under the *Environmental Protection Act 1994* "business days does not include a business day between 20 December and 5 January in the following year".
[4] Subdivision 1 is about appeals to the Land Court and information about this is contained in Sections 519 to 539.

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Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00738108

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 29 January 2008.

The anniversary day for the purposes of the Annual Return is: 29 January

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:-
Energex Limited
150 Charlotte Street
BRISBANE QLD 4000

Development Approval Number: IPDE00850408

Place:-
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824
Located at:-
46 Blinzinger Road, BANYO QLD 4014
Registered Activity/ies: -
ERA 56 Regulated waste storage Threshold 2 - operating a facility for receiving and storing regulated waste other than tyres
ERA 8 Chemical storage Threshold 3(a) - storing 10m^3 to 500m^3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

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Administering Authority
Environmental Protection Act 1994

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Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE01018309

This registration certificate is issued by the administering authority and is a replacement document for the original approval ENRE00738108 issued on: 29 January 2008.

The anniversary day for the purposes of the Annual Return remains: 29 January.

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Registered Operator:-
Energex Limited
150 Charlotte Street
BRISBANE QLD 4000

Place:-	Located at:-	Registered Activities	Development Approval
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824	46 Blinzinger RD, BANYO QLD 4014	ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles	IPDE00850408

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Notice of annual return

This notice is issued by the Department of Environment and Resource Management pursuant to Section 316 of the Environmental Protection Act 1994 to inform of a statutory requirement.

Energex Limited
GPO Box 1461
BRISBANE QLD 4000

Our reference: 240714

Dear Sir/Madam,

Re: Annual Fee and Return

Permit[1] Number	Permit[1] Type	Activity	Location
ENRE00738108	Registration Certificate	ERA 56 Regulated waste storage Threshold 2 - operating a facility for receiving and storing regulated waste other than tyres	Lot 1-2 on Plan RP124669, 46 Blinzinger RD, BANYO QLD 4014 Lot 1-2 on Plan RP82824, 46 Blinzinger RD, BANYO QLD 4014
		ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3	Lot 1-2 on Plan RP124669, 46 Blinzinger RD, BANYO QLD 4014 Lot 1-2 on Plan RP82824, 46 Blinzinger RD, BANYO QLD 4014

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management.

The period covered by the current annual fee expires on 29-JAN-2010. The annual fee for the above permit is now due and payable.

In order to maintain your registration, you must:

- pay the annual fee of $4,200.00, unless you are eligible to pay a reduced annual fee. Please refer to the Information sheet : 'Paying a reduced annual fee' for details on the eligibility criteria.

  (These fees are included in the Federal Treasurer's Determination under Division 81 of A New Tax System (Goods and Services Tax) Act 1999. As such, the supplies are exempt from GST and there is no requirement to issue a Tax Invoice).

- complete and return the attached 'annual return' form

EHP RTI Disclosure

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Notice of annual return

This notice is issued by the Department of Environment and Resource Management pursuant to Section 316 of the Environmental Protection Act 1994 to inform of a statutory requirement.

Energex Limited
GPO Box 1461
BRISBANE QLD 4000

Our reference: 240714

Dear Sir/Madam,

Re: Annual Fee and Return

Permit[1] Number	Permit[1] Type	Activity	Location
ENRE01018309	Registration Certificate	ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles	s.73 Lot 1-2 on Plan RP124669, 46 Blinzinger Road, BANYO QLD 4014 Lot 1-2 on Plan RP82824, 46 Blinzinger Road, BANYO QLD 4014 s.73

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management.

The period covered by the current annual fee expires on 29-JAN-2010. The annual fee for the above permit is now due and payable.

In order to maintain your registration, you must:

- pay the annual fee of $1,400.00, unless you are eligible to pay a reduced annual fee. Please refer to the Information sheet : 'Paying a reduced annual fee' for details on the eligibility criteria.

  (These fees are included in the Federal Treasurer's Determination under Division 81 of A New Tax System (Goods and Services Tax) Act 1999. As such, the supplies are exempt from GST and there is no requirement to issue a Tax Invoice).

EHP RTI Release

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Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00738108

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 11 December 2009 and takes effect from 29 January 2010.

The anniversary day for the purposes of the Annual Return remains: 29 January.

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:-
Energex Limited
150 Charlotte Street
BRISBANE QLD 4000

Development Approval Number: IPDE00850408

Place:-
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824
Located at:-
46 Blinzinger Road,BANYO QLD 4014
Registered Activity/ies: -
ERA 56 Regulated waste storage Threshold 2 - operating a facility for receiving and storing regulated waste other than tyres
ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

sch4p4(6) Personal informati

Delegate
Administering authority
Environmental Protection Act 1994

10-AUG-2010

EPRTI DL Release

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Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE01018309

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 11 December 2009 and takes effect from 29 January 2010.

The anniversary day for the purposes of the Annual Return remains: 29 January.

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

Registered Operator:-
Energex Limited
150 Charlotte Street
BRISBANE QLD 4000

Place:-	Located at:-	Registered Activities	Development Approval
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824	46 Blinzinger RD, BANYO QLD 4014	ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles	IPDE00850408

s.73

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Certificate of Registration
No: ENRE01018309

s.73

sch4p4(6) Personal information

Delegate
Administering authority
Environmental Protection Act 1994

10-AUG-2010

EHP RTI DL Release

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Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE01018309

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 11 December 2009 and takes effect from 29 January 2010.

The anniversary day for the purposes of the Annual Return remains: 29 January.

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

Registered Operator:-
Energex Limited
150 Charlotte Street
BRISBANE QLD 4000

Place:-	Located at:-	Registered Activities	Development Approval
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824	46 Blinzinger RD, BANYO QLD 4014	ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles	IPDE00850408

[redacted]

s.73

EHPRTI DL Release

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Certificate of Registration
No: ENRE01018309

s.73

sch4p4(6) Personal informati

Delegate
Administering authority
Environmental Protection Act 1994

10-AUG-2010

EHP RTI DL Release

Department of Environment and Resource Management

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE01018309

This amended registration certificate is issued by the administering authority and takes effect from: 10th August, 2011.
The anniversary day for the purposes of the Annual Return remains: 29th JANUARY.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity listed below at the following places subject to the conditions set out in a development approval's IPDE00850408, IPDE00850508, IPDE00850608 and IPDE00850308 attached to the premises.

Registered Operator:-
Energex Limited
26 Reddacliff Street
NEWSTEAD QLD 4006

Place:-
Lot 1-2 Plan RP124669, Lot 1-2 Plan RP82824

Located at:-
46 Blinzinger Road,BANYO QLD 4014

Development Approval:
IPDE00850408

Registered Activity: -
ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles

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

Queensland Government

Department of Environment and Resource Management

Registration certificate
No: ENRE01018309

Place:-
s.73

Located at:-
s.73

Development Approval:
s.73

Registered Activity/ies: -
ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles

Place:-
s.73

Located at:-
s.73

Development Approval:
IPDE00850608

Registered Activity/ies: -
ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles

EHP RTI DLRelease

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Department of Environment and Resource Management

Registration certificate
No: ENRE01018309

Place:-

s.73

Located at:-

s.73

Development Approval:
IPDE00850308

Registered Activity/ies: -
ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles

sch4p4(6) Personal information

Delegate
Derek Robson
Department of Environment and Resource Management
Environmental Protection Act 1994

10-AUG-2011

EHP RTI DL Release

Glenn Hewton

From: Shari Murphy
Sent: Thursday, 17 June 2010 10:22 AM
To: Glenn Hewton
Subject: FW: Ministerial Contact (Minister Jones) - Complaint re noise at Energex Depot, Banyo
Importance: High
Attachments: Regional Service Delivery requests.doc

Glenn – can you pls put together a response for this before 3pm today. I anticipate it should reflect whether or not there is an ERA over the site – if so are there noise conditions attached; if not reflect that it falls within our jurisdiction as a quasi? Govt entity. You should also contact the complainant and confirm the complaint and then make arrangements to conduct a follow up site visit.

thanks

Shari Murphy
Manager - Brisbane City North
Phone 3406 2283 Fax 3406 2578
Shari.Murphy@derm.qld.gov.au
www.derm.qld.gov.au
Department of Environment and Resource Management
Level 4, 867 Main Street (Cnr Main & Vulture Streets, Woolloongabba Qld 4102
Postal Address:
GPO Box 2771
BRISBANE QLD 4001

From: Courtney Bazeley **On Behalf Of** Corro OER RSD SE
Sent: Wednesday, 16 June 2010 12:47 PM
To: Shari Murphy
Cc: Andrew Connor; Deborah Hartwell; Randall Hart
Subject: Ministerial Contact (Minister Jones) - Complaint re noise at Energex Depot, Banyo

Hi Shari

I refer to the email below.

Please arrange for this to be actioned and the information provided on the attached template.

The information should be submitted through the appropriate endorsement process and following endorsement by the Regional Manager, Environmental Services - South, submitted for endorsement by the Regional Services Director, South East Region by COB, Thursday, 17 June 2010.

Kind regards

Courtney Bazeley
Senior Project Officer, South East Region
Telephone: (07) 3406 2533 **Q-Net:** 62533
Email: Courtney.Bazeley@derm.qld.gov.au
www.derm.qld.gov.au

Department of Environment and Resource Management
Level 4, Land Centre
Cnr Main and Vulture Streets
WOOLLOONGABBA QLD

EHP RTI DL Release

From: dlo@ EPA
Sent: Wednesday, 16 June 2010 11:11 AM
To: Corro OER RSD SE
Cc: Hart Randall; Harycki Kim
Subject: FW: Ministerial request - Complaint re noise at Energex Depot, Banyo

Good Morning

Please see below, regarding a complaint about noise nuisance from the Energex depot at Banyo.

Could you please arrange for DERM to look into these issues and provide some dot points back to me by COB Friday 18 June. Many thanks

Jandy McCandless | Departmental Liaison Officer |

Office of the Minister for Climate Change and Sustainability |
Department of Environment and Resource Management
|T (07) 3330 5252| F (07) 3227 6485
|Email dlo@derm.qld.gov.au Jandy.Mccandless@derm.qld.gov.au
|Website www.derm.qld.gov.au

EHRTI DU Release

From: Nudgee Electorate Office [mailto:Nudgee@parliament.qld.gov.au]
Sent: Friday, 11 June 2010 12:39 PM
To: Jenny Downie; Simon Munro
Subject: Complaint re noise at Energex Depot

Jenny and Simon,

I'm including you both on this, as the noise complaint relates to Energex Depot at Blinzinger Road, Banyo and I'm sure whether it is EPA jurisdiction or whether it would be handled via Energy Minister's Office.

Our constituent, ch3(10)(1)(b) Confidential source of inform Banyo has called into the office today to complain about what he describes as the percussive sound coming from the back of the depot. He says that it sounds like metal is being dropped into an industrial bin from a height and than the sounds reverberates around the suburb up to 800 metres away.

He initially made his complaint to the local ward office, who informed him that because it was State Government owned, it would need to be investigated at the State level. He says he started keeping a diary and noted that the noise occurred four times in five minutes. He says that generally it is every 20 to 40 minutes and only seems to happen during normal business hours (9 - 5) on week days. He hasn't made any contact with Energex at Banyo to discuss his concerns.

I should aslo note that our office has not received any complaints or concerns from other residents, and the Depot is located within suburban streets and bounded by residential properties.

In the event that your department may wish to make direct and personal contact with onfidential s he has provided the

following three means of communication - home telephone 3(10)(1)(b) Confidential source of infor or email: (10)(1)(b) Confidential source of info

I look forward to your advice in due course.

Lisa Neil
Electorate Officer
Neil Roberts MP
Member for Nudgee
P 3260 5326 | **F** 3260 5346 | **E** nudgee@parliament.qld.gov.au
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Development Permit

EPA Permit[1] number:	IPDE00850408
Application (Converted Development Approval) No.	SR0450
Relevant Laws and Policies:	*Environmental Protection Act 1994* and any subordinate legislation

Development Description

Property/Location

Lot 1 & 2 on RP124669 and Lot 1 & 2 on RP82824, County of Stanley, Parish of Toombul.

located at: Blinzinger Road
BANYO QLD 4014

Carrying out of Environmentally Relevant Activity (ERA)

28 - Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm) or on a commercial basis

84(b) - Regulated waste storage - operating a facility for receiving and storing other regulated waste, other than waste stored.

(i) on a farm for use as a soil conditioner or fertiliser in carrying out an agricultural activity; or
(ii) for use in manufacturing a saleable product under another item of this schedule; or
(iii) for incineration under item 76; or
(iv) recycling, reprocessing or reconditioning under items 77 to 79 or 81).

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 thirty (30) days after becoming so aware, give notice to the Environmental Protection Agency.

Environmentally Relevant Activities

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

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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

In addition to this permit, the person to carry out the ERA must be a registered operator under the *Environmental Protection Act 1994*. For the person to become a registered operator, they must apply for a registration certificate under section 73F of the *Environmental Protection Act 1994*.

sch4p4(6) Personal information

Delegate of Administering Authority
Environmental Protection Act 1994

Date: 12/9/08

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[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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Conditions of the Development Approval

This development approval consists of the following schedules of conditions relevant to various issues:

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

This development approval consists of the following schedules-

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule F - Noise

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I - Definitions

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[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE A - GENERAL CONDITIONS

Display of Development Approval

(A1) A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A2) Any record or document required to be kept by a condition of this development approval must be kept at the approved place for a period of at least five years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

(A3) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development approval.

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

Calibration

(A4) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this development approval must be calibrated, and appropriately operated and maintained.

Integrated Environmental Management System (IEMS)

(A5) The registered operator of this development approval must have developed and implemented an Integrated Environmental Management System (IEMS) which provides for the effective and appropriate management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activity/activities.

(A6) The Integrated Environmental Management System must provide for at least the following functions:

(i) The monitoring of releases of contaminants into the environment for example, monitoring of stormwater to ensure effectiveness of procedures adopted;

(ii) The assessment of the environmental impacts of any releases of contaminants into the environment, for example, monitoring of noise emissions to resolve a complaint; and

(iii) The training of all relevant staff, agents and contractors ("staff") to competent levels in at least the following:

(a) The environmental policy of the registered operator of the development approval so that staff are aware of any relevant commitments to environmental management; and
(b) Any relevant environmental objectives and targets so that all staff are aware of the relevant performance objectives and can work towards these; and
(c) Control procedures for routine operations for day to day operational activities to prevent or minimise environmental harm, however occasioned or caused; and
(d) Contingency plans and emergency procedures 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

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

EHP RTI DL Release
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(e) Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
(f) Effective communication to ensure two-way communication on environmental matters between operational staff and management as well as communications with the administering authority; and
(g) Documentation systems so that appropriate records of environmental matters are kept to satisfy the registered operator of this development approval, the administering authority and the community that the applicant is meeting environmental commitments; and
(h) Responsibilities of the registered operator of this development approval and staff under the Act so that these can be met; and

(iii) The conduct of environmental and energy audits to review periodically:

(a) the level of environmental performance; and
(b) the effectiveness of environmental management procedures adopted; and

(iv) The implementation of an effective and appropriate practices and procedures for management of waste.

(A7) The registered operator of this development approval must prepare a report summarising the outcomes of the environmental and energy audits required by condition A6(iii) and submit the report with the annual return which follows the conduct of the audits.

(A8) The IEMS must address the management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activities by the registered operator of this development approval at the following locations.

ERA	Location	Place
ERA 28 Motor vehicle workshop ERA 84(b) Regulated waste storage	Blinzinger Road, BANYO QLD 4014	Lot 1 and 2 on Plan RP124669, Title Reference 14462161, Lot 1 on Plan RP82824, Title Reference 12902164 and Lot 2 on Plan RP82824, Title Reference 12902165

Amendments

(A9) The registered operator of this development approval may amend the IEMS as well as any other plans required by this development approval.

(A10) The amendment must be properly incorporated to the original document.

(A11) The registered operator of this development approval must not implement any amendment where such amendment would result in a contravention of any development approval condition and or recent editions of the referred document(s) in this development approval.

End of Conditions for Schedule A

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE B - AIR

Release of Contaminants to the Atmosphere

(B1) This environmentally relevant activity must be carried out by such practicable means necessary to prevent the release or the likelihood of release of contaminants, that will or may cause environmental harm.

Nuisance

(B2) Notwithstanding any other condition of this development approval no release of contaminants from the approved place is to cause a noxious or offensive odour beyond the boundaries of the approved place.

End of Conditions for Schedule B

EHP RTI DL Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE C - WATER

(C1) Contaminants that will or may cause environmental harm, must not be directly or indirectly released from the approved place to any waters or the bed and banks of any waters except:

(i) as permitted under the stormwater management schedule; or
(ii) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Conditions for Schedule C

EHP RTI DL Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE D - STORMWATER MANAGEMENT

General

(D1) The maintenance, cleaning and washdown of vehicles, transformers and any other equipment or plant must be carried out in areas from where contaminants cannot be released to any waters, roadside gutter or stormwater drainage system.

(D2) Any spillage of wastes, contaminants or other materials capable of causing environmental harm or nuisance must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Stormwater Management Plan

(D3) The registered operator of this development approval must have developed and implemented an effective and appropriate Stormwater Management Plan.

Washing and Cleaning of Vehicles and other Equipment and Plant

(D4) Waste generated by the washing and cleaning of vehicles and other equipment and plant must be treated by:

(i) an oil/water separator; and
(ii) a sediment collection sump or trap.

(D5) The oil/water separator must be operated and maintained such that:

(i) the oil and grease concentration of the waste is minimised to the greatest practicable extent;
(ii) collected waste oil and sludge from the oil/water separator is removed as often as necessary to ensure effective operation of the separator; and
(iii) detergents or other emulsifying agents are prevented as far as reasonable and practicable from entering the separator.

(D6) A record must be maintained of the time and date of the desludging and maintenance of the oil/water separator.

(D7) Drains and bunds must be provided to ensure surface stormwater runoff is excluded from the washing area.

(D8) Washing, cleaning and draining of batteries must be carried out in areas from where resultant contaminants cannot be released to any land, waters, roadside gutter or stormwater drainage system.

Bunding

(D9) All chemical tank storages including storages of fuel, oil, paints, solvents, solvents baths, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest storage tank plus ten percent (10%) of the second largest tank within the bund.

(D10) All chemical drum storages including storages of fuel, oil, paints, solvents, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least twenty five percent (25%) of the maximum design storage volume within the bund.

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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(D11) Drums containing waste oil with PCB are not required to be bunded as long as they are stored in relocatable bulk dangerous good stores at the location indicated in the environmental site map of the Banyo Complex No 12U_S103/F provided on 3 December (Reference: ENV99396).

(D12) All areas used for the storage of damaged transformer(s) must be bunded so that the capacity of the bund is sufficient to contain any spillage, leakage or other escape of polychlorinated biphenyls and other contaminants contained in the transformer(s)..

(D13) All bunding must be constructed of materials which are impervious to the materials stored.

(D14) All bunded areas must be roofed where practicable.

(D15) Where it is impractical to completely roof a bunded area the registered operator of this development approval must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.

(D16) A collection sump must be provided in the floor of the bunding to facilitate the removal of liquids. The bund floor must be graded so that the fall is towards the collection sump.

(D17) All required pipework from the bunded areas must be directed over the bund wall and not through it.

(D18) All empty drums must be stored on a concrete hardstand area with their closures in place.

(D19) All drums and other containers which have held solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be stored in a bunded area.

(D20) All drums containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be sealed to prevent loss of contents or exposure of the contents to the atmosphere.

(D21) There must be no visible leakage of the contents of any drum containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste.

End of Conditions for Schedule D

EHP RTI DM Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE E - LAND APPLICATION

Release of Contaminants to Land

(E1) There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land, including battery acid, solvents, polychlorinated biphenyls and waste oil.

End of Conditions for Schedule E

EHP RTI DL Release

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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SCHEDULE F - NOISE

Emission of Noise

(F1) In the event of a complaint made to the administering authority about noise that is unreasonable and/or intrusive, and that the administering authority considers is not frivolous or vexatious, then the emission of noise from the approved place, except for blasting noise, must not result in levels greater than those specified in Schedule F Table 1.

SCHEDULE F - TABLE 1

NOISE LIMITS AT A NOISE SENSITIVE PLACE	
Period	***Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 5 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 5 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 3 dB(A)
All other times and public holidays	Background noise level
NOISE LIMITS AT A COMMERCIAL PLACE	
Period	***Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 10 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 10 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 8 dB(A)
All other times and public holidays	Background noise level plus 5 dB(A)

End of Conditions for Schedule F

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SCHEDULE G - WASTE MANAGEMENT

General

(G1) Waste oil and polychlorinated biphenyls that are regulated waste must be removed from the approved place by a person approved under the *Environmental Protection Act 1994* to transport that waste.

(G2) The registered operator of this development approval must not:

(i) burn waste at or on the approved place; nor
(ii) allow waste to burn or be burnt at or on the approved place; nor
(iii) remove waste from the approved place and burn such waste elsewhere.

Site-Based Polychlorinated Biphenyl Management Plan

(G3) The registered operator of this development approval, must have developed and implemented a Site-based Polychlorinated Biphenyl Management Plan which details how the registered operator of this development approval will effectively and appropriately manage the transport, transfer, handling, storage and disposal of polychlorinated biphenyls so as to prevent, as far as is practicable, any environmental contamination being caused as a result of these activities.

(G4) The Site-Based Polychlorinated Biphenyl Management Plan must provide for the following functions:

- prevention of incident stormwater and stormwater runoff from contacting polychlorinated biphenyls; and
- diversion of upstream runoff away from areas containing polychlorinated biphenyls; and
- minimisation of the size of areas containing polychlorinated biphenyls, and
- cleaning of any spillage or other release of polychlorinated biphenyls, and
- the taking of all reasonable and practicable measures necessary to prevent and/or to minimise the likelihood of environmental harm (including contamination of stormwater, sewage and contamination of land) being caused in carrying out any transport, transfer, handling, storage and disposal of polychlorinated biphenyls; and
- an audit of the likely quantity of PCB contaminants at the approved premises; and
- a management plan with a timeframe for the cessation of the environmentally relevant activity, as it relates to PCBs; and
- a sampling and analysis program to determine the concentration of polychlorinated biphenyls in waste and materials handled in carrying out the environmentally relevant activity, including the keeping of records identifying the waste and material handled with cross referencing to analysis results; and
- methods to manage any emergency situation where there is a release of PCB waste to the environment; and
- staff training in the competent carrying out of the environmentally relevant activity and awareness of environmental issues related to the environmentally relevant activity; and
- continuous monitoring and annual review of the systems and strategy of the plan in order to identify and implement changes that will improve the plan.

(G5) In developing and implementing the Site-based Polychlorinated Biphenyl Management Plan, the registered operator of this development approval must have regard to the "Polychlorinated Biphenyls Management Plan" endorsed by the Australian and New Zealand Environment and Conservation Council (ANZECC).

(G6) A copy of the Site-based Polychlorinated Biphenyl Management plan must be kept at each approved place in or on which polychlorinated biphenyls are handled.

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Off Site Movement

(G7) Where regulated waste is removed from the approved place (other than by a release as permitted under another schedule of this development approval), the registered operator of this development approval must monitor and keep records of the following:

(a) the date, quantity and type of waste removed; and
(b) name of the waste transporter and/or disposal operator that removed the waste; and
(c) the intended treatment/disposal destination of the waste; and
(d) where the waste is a polychlorinated biphenyl, the concentration of polychlorinated biphenyls in the waste.

(G8) All disposal of wastes generated in carrying out the environmentally relevant activity must be to a proper and appropriate facility that accepts such wastes, except as specifically provided for under the conditions of this development approval.

(G9) Regulated waste such as polychlorinated biphenyls, paints, sludges, solvents and waste oil must not be placed in industrial bins or other containers that would result in that waste entering the general waste stream.

(G10) Records of trade waste agreements must be kept at the approved place to which they relate and be made available to an authorised person who asks to see them.

Notification of Improper Disposal of Regulated Waste

(G11) If the registered operator of this development approval becomes aware that a person has removed regulated waste from the approved place and disposed of the regulated waste in a manner which is not authorised by this development approval or improper or unlawful, then the registered operator of this development approval must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of Conditions for Schedule G

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SCHEDULE H - MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received by the registered operator of this development approval relating to releases of contaminants from operations at the approved 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) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

Notification of Emergencies and Incidents

(H2) Where the registered operator of this development approval has not given notification to the administering authority under Section 37 of the *Environmental Protection Act*, as soon as practicable after becoming aware of any emergency or incident that 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 registered operator of this development approval must notify the administering authority of the release by telephone or facsimile.

(H3) Where the registered operator of this development approval has not given notification to the administering authority under Section 37 of the *Environmental Protection Act*, the notification of emergencies or incidents as required by condition number H2 must include but not be limited to the following:

(a) the name of the registered operator of the development approval;
(b) the location of the emergency or incident;
(c) the number of the development approval;
(d) the name and telephone number of the designated contact person;
(e) the time of the release;
(f) the time the registered operator of the development approval became aware of the release;
(g) the suspected cause of the release;
(h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
(i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(H4) Where the registered operator of this development approval has not given notification to the administering authority under Section 37 of the *Environmental Protection Act*, not more than fourteen (14) days following the initial notification of an emergency or incident, the registered operator of the development approval must provide written advice of the information supplied in accordance with condition H3 in addition to:

(a) proposed actions to prevent a recurrence of the emergency or incident; and
(b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
(c) the results of any environmental monitoring performed.

(H5) The registered operator of this development approval must ensure that the results of all monitoring performed in accordance with this development approval for the period covered by the return are submitted with the Annual Return.

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Noise Monitoring

(H6) For the purposes of checking compliance with condition F1 and investigating any complaint made about noise that allegedly constitutes an annoyance, monitoring and recording of the noise levels from the activity/activities must be undertaken for the following descriptors, characteristics and conditions:

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

(H7) Environmental noise monitoring must be undertaken to investigate any complaint of noise annoyance upon receipt of a written request from the administering authority to carry out such monitoring.

(H8) The method of measurement and reporting of noise levels must comply with the *Department of Environment and Heritage Noise Measurement Manual; second edition, March 1995*, or more recent editions or supplements to that document as become available.

(H9) 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.

(H10) Records must be kept of the results of all monitoring of noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.

End of Conditions for Schedule H

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SCHEDULE I - DEFINITIONS

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

(I1) "administering authority" means the Environmental Protection Agency or its successor.

(I2) "land" means land excluding waters and the atmosphere.

(I3) "polychlorinated biphenyl" and 'PCB" means a substance in which the biphenyl structure has chlorine atoms substituted for hydrogen atoms to varying degrees. PCB has the chemical formula $C_{12}H_{10-n}Cl_n$ where 'n' is a number in the range one (1) to ten (10) inclusive.

(I4) Any non-domestic waste, other than contaminated soil, with a concentration of PCB which is greater than 2 mg/kg (ppm) is regulated waste, due to the PCB content.

(I5) Any waste, other than contaminated soil, with a concentration of PCB which is equal to or less than 2 mg/kg (ppm) is not regulated waste, due to the PCB content.

(I6) Soil which has a concentration greater than 2 mg/kg (ppm) is contaminated soil, and hence regulated waste, due to the PCB content.

(I7) "$L_{Amax\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I8) "background noise level" means either:

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

$L_{abg,\ T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than fifteen (15) minutes, using Fast response.

(I9) "Max $L_{pA,\ T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I10) "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.

(I11) "commercial place" means a place used as an office or for business or commercial purposes.

(I12) "unreasonable noise" means noise that causes unlawful environmental harm.

(I13) "intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration that is

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

End of Conditions for Schedule I

END OF CONDITIONS

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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Checklist

Development Approval Assessment Checklist - DA IPDE00835608

For checkbox responses - X if relevant

PROJECT NUMBER	**240714**	**FILE NO: STH2811**	
EPA DA NUMBER:	**IPDE00835608**		
IPA Assessment Manager:	☒ **(refer to 2.0)**	**IP Act Approval(refer to 5.0):**	☐ **Preliminary**
IPA Referral Agency:	☐ **(refer to 3.0)**		☐ **Concurrence**

1.0	FEES AND FORMS (ALL APPLICATIONS):	
	Have correct fees been paid?	☒
	Have correct form/s been received?	☒

2.0	ASSESSMENT MANAGER:	
2.1	**Determination of Assessment Manager:**	
	EPA acts as the Assessment Manager if the following are satisfied (√ to be shown) i) Development is not assessable under a planning scheme. ii) Application does not include other IDAS development eg reconfiguration of a lot. iii) No other Assessment Manager is prescribed for the development in the IP Regulation.	☐ ☐ ☒
2.2	**As Assessment Manager:**	
	Is an Information Request required? If so, has Information Request been sent to applicant?	☐ ☐

3.0	REFERRAL AGENCY INFORMATION	
	Has a copy of acknowledgment notice been received?	☐
	Is an Information Request required? (Note: Advice agencies cannot request further information) If so, has Information Request been sent to applicant and copy to Local Council/DNRW/Port Authority etc (as assessment manager)?	☐ ☐

4.0	REGISTRATION CERTIFICATE (not applicable to preliminary approvals)	
	Has a separate application for a registration certificate been received?	☐

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Development Approval Assessment Checklist

5.0	APPLICATION ASSESSMENT REQUIREMENTS	
OPERATIONAL NOTES: 1. All considerations listed below to be assessed initially for relevance and ticked if applicable. 2. When ticked as relevant, further more detailed assessment of the consideration is appropriate. An explanatory statement of the issue must be given in the Assessment Report (AR).		
	ASSESSMENT CONSIDERATIONS	
5.1	**EPP WATER: (if not applicable, proceed to item 6.2)**	
	Is there release of waste waters? (if no, proceed to item s24).	☐
S11	Water quality objectives : Are water quality objectives defined? Quote objective in assessment report.	☐
S15	Waste management evaluation procedure: Is the activity likely to affect a water?	☐
S16	Waste water recycling: Does the activity involve waste water recycling?	☐
S17	Waste water releases on land: Does the activity involve the release of wastewater to land?	☐
S18	Waste water releases to surface water: Is there a release (not stormwater) to surface waters?	☐
S19	Stormwater management: Is there a release of contaminated stormwater to waters?	☐
S20	Direct waste water release to ground waters: Is there a direct release to groundwater?	☐
S21	Incidental waste water release to ground waters: Is there an incidental release to groundwater?	☐
S22	Construction of artificial releases wetlands for waste water treatment: Does the activity involve the construction of an artificial wetland for wastewater treatment in a natural wetland?	☐
S23	Use of natural biological controls in treatment of waste water: Are natural biological controls used in treatment of waste water	☐
S24	Acid sulfate soils: Does the activity involve the exposure or disturbance of acid sulfate soils or the lowering of a watertable associated with acid sulfate soils?	☐
S25	Waste reception facilities for ships: Does the activity involve a place for docking of ships?	☐
S26	Monitoring particular releases: Is there a release to land or waters?	☐
S27	Impact monitoring: Is there a release of wastewater to land or waters?	☐
5.2	**EPP NOISE: Does, or can, the activity adversely affect the environmental values (noise relevant activity)? If 'no', proceed to item 6.3.**	
S13	Evaluation procedure: Is evaluated procedure followed?	☒
S14	Has the noise relevant activity been evaluated in relation to matters listed in s14?	☒
S15	Planning levels: Does the activity involve the use or operation of a beneficial asset?	☐
S17	Plan as a condition: Is a noise management plan necessary?	☐
5.3	**EPP AIR: Does, or can, the activity adversely affect the environmental values (relevant activity)? If 'no', proceed to item 6.4.**	
S11	Evaluation procedure: Is evaluation procedure followed?	☐
S12	Has the relevant activity been evaluated in relation to matters listed in s12?	☐
S13	Air pollutant dispersion modelling and monitoring of releases: Is it likely that the releases will cause environmental harm?	☐
5.4	**EPP Waste: Does, or can, the activity involve generation, transport or receipt of waste? If 'no', proceed to item 6.5.**	
S15	Generating waste: is it relevant**?**	☐
S16	Transporting waste: is it relevant?	☐
S17	Receiving waste: is it relevant?	☐
S19	Waste Management Program: Is there a need to require one?	☐
5.5	**OTHER CONSIDERATIONS**	
	Guidelines: Are any relevant guidelines considered?	☒
	Operational Policies: Are any Agency operational policies considered?	☐
	Codes of Practice: Are any codes of practice considered?	☐
	Standards: Are any Australian (or International) Standards considered?	☒
	National Strategies: Are any National Strategies considered?	☐
5.6	**SECTION 73A**	
	Additional Information: Has any additional information given in relation to the application been considered?	☒
	Standard Criteria: Relevant considerations specified in Assessment Report	☒

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Development Approval Assessment Checklist

5.7	**NATIVE TITLE ACT (where applicable)**	
	Notification to interested parties sent, where required.	☐
	Response received (for comments, refer to assessment report - AR).	☐
5.8	**NOTIFIABLE ACTIVITIES - CONTAMINATED LAND (s.371)**	
	Notification of Land: Is the activity listed in Schedule 2 of Environmental Protection Act? If "yes" send "Notification of Land" form" (s.371) or (s.372) to Contaminated Land Section.	☒
5.9	**WILD RIVER AREA**	
	Is the development in a Wild River Area?	☐

CONSULTATIONS		Date Completed
Site visit.	☒	15/02/2008
Meetings/Conference (Pre-design)	☐	
Draft conditions sent to applicant.	☒	3/03/08
Applicant acceptance of final condition (discuss project killers in assessment report).	☐	
If Assessment Manager - conditions and copy of decision notice sent to applicant and to Local Government and concurrence agencies (DNRW/Port Authority etc).	☒	
If Concurrence Agency - conditions sent to Assessment Manager and copy to applicant.	☐	
If Advice Agency – advice agency response sent to Assessment Manager and a copy to the applicant.	☐	

Notes:

OFFICER: A Beer	DATE:

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Development Approval

Section 621(4) *Environmental Protection Act 1994*

EPA Development Application (Converted Development approval) number:	IPDE00850408 SR0450
Relevant Laws and Policies:	*Environmental Protection Act 1994* and subordinate legislation

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

ERA 28 - Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm) or on a commercial basis

ERA 84(b) - Regulated waste storage - operating a facility for receiving and storing - other regulated waste, other than waste stored.

(i) on a farm for use as a soil conditioner or fertiliser in carrying out an agricultural activity; or
(ii) for use in manufacturing a saleable product under another item of this schedule; or
(iii) for incineration under item 76; or
(iv) recycling, reprocessing or reconditioning under items 77 to 79 or 81).

at the following place:

Lot 1 and 2 on Plan RP124669, and Lot 1 and 2 on Plan RP82824, County of Stanley, Parish of Toombul

located at: Blinzinger Road
BANYO QLD 4014

The environmentally relevant activity must be constructed, operated and maintained in accordance with the conditions as set out in the attached schedule of conditions.

Further development permits required

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

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This development approval is issued pursuant to section 621 of the *Environmental Protection Act 1994*. The rights of review and appeal are attached to this notice.

This development approval takes effect 10 business days after you receive this notice, or if there is an appeal from the day the appeal is finally decided or is otherwise ended.

sch4p4(6) Personal informati

Signed

8/2/18

Date

Rod Kent
Manager
Delegate of Administering Authority
Environmental Protection Act 1994

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Schedule of conditions

The aforementioned description of the ERA for which this authority is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing the authority. Where there is any conflict between the above description of the ERA 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, then such conditions prevail to the extent of the inconsistency.

This development approval consists of the following schedules -

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule F - Noise

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I - Definitions

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SCHEDULE A - GENERAL CONDITIONS

Display of Environmental Authority

(A1) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A2) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

(A3) 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 environmental authority.

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

Calibration

(A4) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.

Integrated Environmental Management System (IEMS)

(A5) The holder of this environmental authority must have developed and implemented an Integrated Environmental Management System (IEMS) which provides for the effective and appropriate management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activity/activities.

(A6) The Integrated Environmental Management System must provide for at least the following functions:

(i) The monitoring of releases of contaminants into the environment for example, monitoring of stormwater to ensure effectiveness of procedures adopted;

(ii) The assessment of the environmental impacts of any releases of contaminants into the environment, for example, monitoring of noise emissions to resolve a complaint; and

(iii) The training of all relevant staff, agents and contractors ("staff") to competent levels in at least the following:

(a) The environmental policy of the holder of the environmental authority so that staff are aware of any relevant commitments to environmental management; and
(b) Any relevant environmental objectives and targets so that all staff are aware of the relevant performance objectives and can work towards these; and
(c) Control procedures for routine operations for day to day operational activities to prevent or minimise environmental harm, however occasioned or caused; and

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(d) Contingency plans and emergency procedures 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
(e) Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
(f) Effective communication to ensure two-way communication on environmental matters between operational staff and management as well as communications with the administering authority; and
(g) Documentation systems so that appropriate records of environmental matters are kept to satisfy the holder of this environmental authority, the administering authority and the community that the applicant is meeting environmental commitments; and
(h) Responsibilities of the holder of this environmental authority and staff under the Act so that these can be met; and

(iii) The conduct of environmental and energy audits to review periodically:

(a) the level of environmental performance; and
(b) the effectiveness of environmental management procedures adopted; and

(iv) The implementation of an effective and appropriate practices and procedures for management of waste.

(A7) The holder of this environmental authority must prepare a report summarising the outcomes of the environmental and energy audits required by condition A6(iii) and submit the report with the annual return which follows the conduct of the audits.

(A8) The IEMS must address the management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activities by the holder of this environmental authority at the following locations.

ERA	Location	Place
s.73		
ERA 28 Motor vehicle workshop ERA 84(b) Regulated waste storage	Blinzinger Road, Banyo 4014	Lot 1 and 2 on Plan RP124669, Title Reference 14462161, Lot 1 on Plan RP82824, Title Reference 12902164, and Lot 2 on Plan RP82824, Title Reference 12902165

Amendments

(A9) The holder of this environmental authority may amend the IEMS as well as any other plans required by this environmental authority.

(A10) The amendment must be properly incorporated to the original document.

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(A11) The holder of this environmental authority must not implement any amendment where such amendment would result in a contravention of any licence condition and or recent editions of the referred document(s) in this environmental authority.

End of Conditions for Schedule A

SCHEDULE B - AIR

Release of Contaminants to the Atmosphere

(B1) This environmentally relevant activity must be carried out by such practicable means necessary to prevent the release or the likelihood of release of contaminants, that will or may cause environmental harm.

Nuisance

(B2) Notwithstanding any other condition of this environmental authority no release of contaminants from the licensed place is to cause a noxious or offensive odour beyond the boundaries of the licensed place.

End of Conditions for Schedule B

SCHEDULE C - WATER

(C1) Contaminants that will or may cause environmental harm, must not be directly or indirectly released from the licensed place to any waters or the bed and banks of any waters except:

(i) as permitted under the stormwater management schedule; or
(ii) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Conditions for Schedule C

SCHEDULE D - STORMWATER MANAGEMENT

General

(D1) The maintenance, cleaning and washdown of vehicles, transformers and any other equipment or plant must be carried out in areas from where contaminants cannot be released to any waters, roadside gutter or stormwater drainage system.

(D2) Any spillage of wastes, contaminants or other materials capable of causing environmental harm or nuisance must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Stormwater Management Plan

(D3) The holder of this environmental authority must have developed and implemented an effective and appropriate Stormwater Management Plan.

[1] Permit includes s, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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Washing and cleaning of vehicles and other equipment and plant

(D4) Waste generated by the washing and cleaning of vehicles and other equipment and plant must be treated by:

(i) an oil/water separator; and
(ii) a sediment collection sump or trap.

(D5) The oil/water separator must be operated and maintained such that:

(i) the oil and grease concentration of the waste is minimised to the greatest practicable extent;
(ii) collected waste oil and sludge from the oil/water separator is removed as often as necessary to ensure effective operation of the separator; and
(iii) detergents or other emulsifying agents are prevented as far as reasonable and practicable from entering the separator.

(D6) A record must be maintained of the time and date of the desludging and maintenance of the oil/water separator.

(D7) Drains and bunds must be provided to ensure surface stormwater runoff is excluded from the washing area.

(D8) Washing, cleaning and draining of batteries must be carried out in areas from where resultant contaminants cannot be released to any land, waters, roadside gutter or stormwater drainage system.

Bunding

(D9) All chemical tank storages including storages of fuel, oil, paints, solvents, solvents baths, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest storage tank plus ten percent (10%) of the second largest tank within the bund.

(D10) All chemical drum storages including storages of fuel, oil, paints, solvents, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least twenty five percent (25%) of the maximum design storage volume within the bund.

(D11) Drums containing waste oil with PCB are not required to be bunded as long as they are stored in relocatable bulk dangerous good stores at the location indicated in the environmental site map of the Banyo Complex No 12U_S103/F provided on 3 December (Reference: ENV99396).

(D12) All areas used for the storage of damaged transformer(s) must be bunded so that the capacity of the bund is sufficient to contain any spillage, leakage or other escape of polychlorinated biphenyls and other contaminants contained in the transformer(s)..

(D13) All bunding must be constructed of materials which are impervious to the materials stored.

(D14) All bunded areas must be roofed where practicable.

(D15) Where it is impractical to completely roof a bunded area the holder of this environmental authority must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.

(D16) A collection sump must be provided in the floor of the bunding to facilitate the removal of liquids. The bund floor must be graded so that the fall is towards the collection sump.

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(D17) All required pipework from the bunded areas must be directed over the bund wall and not through it.

(D18) All empty drums must be stored on a concrete hardstand area with their closures in place.

(D19) All drums and other containers which have held solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be stored in a bunded area.

(D20) All drums containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be sealed to prevent loss of contents or exposure of the contents to the atmosphere.

(D21) There must be no visible leakage of the contents of any drum containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste.

End of Conditions for Schedule D

SCHEDULE E - LAND APPLICATION

Release of Contaminants to Land

(E1) There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land, including battery acid, solvents, polychlorinated biphenyls and waste oil.

End of Conditions for Schedule E

SCHEDULE F - NOISE

Emission of Noise

(F1) In the event of a complaint made to the administering authority about noise that is unreasonable and/or intrusive, and that the administering authority considers is not frivolous or vexatious, then the emission of noise from the licensed place, except for blasting noise, must not result in levels greater than those specified in Schedule F Table 1.

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SCHEDULE F - TABLE 1

LIMITS AT A NOISE SENSITIVE PLACE	
Period	***Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 5 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 5 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 3 dB(A)
All other times and public holidays	Background noise level
LIMITS AT A COMMERCIAL PLACE	
Period	***Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 10 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 10 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 8 dB(A)
All other times and public holidays	Background noise level plus 5 dB(A)

End of Conditions for Schedule F

SCHEDULE G - WASTE MANAGEMENT

General

(G1) Waste oil and polychlorinated biphenyls that are regulated waste must be removed from the licensed place by a person licensed under the Environmental Protection Act 1994 to transport that waste.

(G2) The holder of this environmental authority must not:

(i) burn waste at or on the licensed place; nor
(ii) allow waste to burn or be burnt at or on the licensed place; nor
(iii) remove waste from the licensed place and burn such waste elsewhere.

Site-based Polychlorinated Biphenyl Management Plan

(G3) The holder of this environmental authority, must have developed and implemented a Site-based Polychlorinated Biphenyl Management Plan which details how the holder of this environmental authority will effectively and appropriately manage the transport, transfer, handling, storage and disposal of polychlorinated biphenyls so as to prevent, as far as is practicable, any environmental contamination being caused as a result of these activities.

(G4) The Site-based Polychlorinated Biphenyl Management Plan must provide for the following functions:

- prevention of incident stormwater and stormwater runoff from contacting polychlorinated biphenyls; and
- diversion of upstream runoff away from areas containing polychlorinated biphenyls; and
- minimisation of the size of areas containing polychlorinated biphenyls, and

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- cleaning of any spillage or other release of polychlorinated biphenyls, and
- the taking of all reasonable and practicable measures necessary to prevent and/or to minimise the likelihood of environmental harm (including contamination of stormwater, sewage and contamination of land) being caused in carrying out any transport, transfer, handling, storage and disposal of polychlorinated biphenyls; and
- an audit of the likely quantity of PCB contaminants at the licensed premises; and
- a management plan with a timeframe for the cessation of the environmentally relevant activity, as it relates to PCBs; and
- a sampling and analysis program to determine the concentration of polychlorinated biphenyls in waste and materials handled in carrying out the environmentally relevant activity, including the keeping of records identifying the waste and material handled with cross referencing to analysis results; and
- methods to manage any emergency situation where there is a release of PCB waste to the environment; and
- staff training in the competent carrying out of the environmentally relevant activity and awareness of environmental issues related to the environmentally relevant activity; and
- continuous monitoring and annual review of the systems and strategy of the plan in order to identify and implement changes that will improve the plan.

(G5) In developing and implementing the Site-based Polychlorinated Biphenyl Management Plan, the holder of this environmental authority must have regard to the "Polychlorinated Biphenyls Management Plan" endorsed by the Australian and New Zealand Environment and Conservation Council (ANZECC).

(G6) A copy of the Site-based Polychlorinated Biphenyl Management plan must be kept at each licensed place in or on which polychlorinated biphenyls are handled.

Off Site Movement

(G7) Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority must monitor and keep records of the following:

(a) the date, quantity and type of waste removed; and
(b) name of the waste transporter and/or disposal operator that removed the waste; and
(c) the intended treatment/disposal destination of the waste; and
(d) where the waste is a polychlorinated biphenyl, the concentration of polychlorinated biphenyls in the waste.

(G8) All disposal of wastes generated in carrying out the environmentally relevant activity must be to a proper and appropriate facility that accepts such wastes, except as specifically provided for under the conditions of this environmental authority.

(G9) Regulated waste such as polychlorinated biphenyls, paints, sludges, solvents and waste oil must not be placed in industrial bins or other containers that would result in that waste entering the general waste stream.

(G10) Records of trade waste agreements must be kept at the licensed place to which they relate and be made available to an authorised person who asks to see them.

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Notification of Improper Disposal Of Regulated Waste

(G11) If the holder of this environmental authority 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 environmental authority or improper or unlawful, then the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of Conditions for Schedule G

SCHEDULE H - SELF MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the 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) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

Notification of Emergencies and Incidents

(H2) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, as soon as practicable after becoming aware of any emergency or incident that results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.

(H3) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, the notification of emergencies or incidents as required by condition number H2 must include but not be limited to the following:

(a) the name of the holder of the environmental authority;
(b) the location of the emergency or incident;
(c) the number of the environmental authority;
(d) the name and telephone number of the designated contact person;
(e) the time of the release;
(f) the time the holder of the environmental authority became aware of the release;
(g) the suspected cause of the release;
(h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
(i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

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(H4) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, not more than fourteen (14) days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition H3 in addition to:

(a) proposed actions to prevent a recurrence of the emergency or incident; and
(b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
(c) the results of any environmental monitoring performed.

(H5) The holder of this environmental authority must ensure that the results of all monitoring performed in accordance with this environmental authority for the period covered by the return are submitted with the Annual Return.

Noise Monitoring

(H6) For the purposes of checking compliance with condition F1 and investigating any complaint made about noise that allegedly constitutes an annoyance, monitoring and recording of the noise levels from the activity/activities must be undertaken for the following descriptors, characteristics and conditions:

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

(H7) Environmental noise monitoring must be undertaken to investigate any complaint of noise annoyance upon receipt of a written request from the administering authority to carry out such monitoring.

(H8) The method of measurement and reporting of noise levels must comply with the Department of Environment and Heritage Noise Measurement Manual; second edition, March 1995, or more recent editions or supplements to that document as become available.

(H9) 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.

(H10) Records must be kept of the results of all monitoring of noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.

End of Conditions for Schedule H

SCHEDULE I - DEFINITIONS

For the purposes of this environmental authority the following definitions apply:

(I1) "administering authority" means the Environmental Protection Agency or its successor.

(I2) "land" means land excluding waters and the atmosphere.

[1] Permit includes s, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

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(I3) "polychlorinated biphenyl" and 'PCB" means a substance in which the biphenyl structure has chlorine atoms substituted for hydrogen atoms to varying degrees. PCB has the chemical formula $C_{12}H_{10-n}Cl_n$ where 'n' is a number in the range 1 to 10 inclusive.

(I4) Any non-domestic waste, other than contaminated soil, with a concentration of PCB which is greater than 2 mg/kg (ppm) is regulated waste, due to the PCB content.

(I5) Any waste, other than contaminated soil, with a concentration of PCB which is equal to or less than 2 mg/kg (ppm) is not regulated waste, due to the PCB content.

(I6) Soil which has a concentration greater than 2 mg/kg (ppm) is contaminated soil, and hence regulated waste, due to the PCB content.

(I7) "$L_{Amax\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I8) "background noise level" means either:

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

$L_{abg,\ T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than fifteen (15) minutes, using Fast response.

(I9) "Max $L_{pA,\ T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I10) "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.

(I11) "commercial place" means a place used as an office or for business or commercial purposes.

(I12) "unreasonable noise" means noise that causes unlawful environmental harm.

(I13) "intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration that is

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

End of Conditions for Schedule I

END OF CONDITIONS

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[1] Permit includes s, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

REGIONAL SERVICE DELIVERY DIVISION RESPONSE

REQUEST DATE: 17 June 2010

SUBJECT: Complaint regarding noise at the Energex Depot, Banyo.

REQUEST: DERM to investigate a noise nuisance complaint relating to the Energex Limited depot and workshop located on Blinzinger Road, Banyo.

RESPONSE:

- **There is a Development Approval (DA) - over the Energex Depot at Banyo relating to ERA 21 – Motor Vehicle Workshop operation (ENRE01018309) and ERA 56(b) – Regulated Waste Storage – threshold 2, ERA 8 – Chemical storage – threshold 3(a) – (IPDE00850408) which is administered and regulated by DERM;**
- **Energex Limited is a Registered Operator – ENRE00738108;**
- **The DA number – IPDE00850408 has conditions relating to management of noise on site and complaint handling;**
- **The complainant advised that he had not approached Energex Limited with his complaint and has only approached the Electorate office as he did not know how else to lodge a complaint;**
- **A DERM officer has contacted Energex Limited with a view of making them aware of the complaint, advising them of their licence conditions and obligations under the Environmental Protection Act 1994;**
- **Issues relating to environmental nuisance are quite often resolved easily and quickly once both parties are aware of the complaint, the DA conditions and impacts associated from operations;**
- **DERM will continue to investigate into whether the noise nuisance is 'lawful' or 'unlawful' under the DA and will provide mediation with a view of achieving a win-win outcome;**
- **Win-win outcomes can take a period of time to achieve due to having to provide natural justice and to make allowances for the alleged source to conduct internal investigations into the allegation and provide an accurate response including a timeline of proposals to mitigate the noise should it be deemed to be 'unlawful'.**

CONSULTATION UNDERTAKEN:

External:

A DERM officer from RSD – Southern Region, Brisbane City North called the nfidential onfidential s **to discuss the issue on Thursday 17 June 2010.**

FOI RTI DL Release

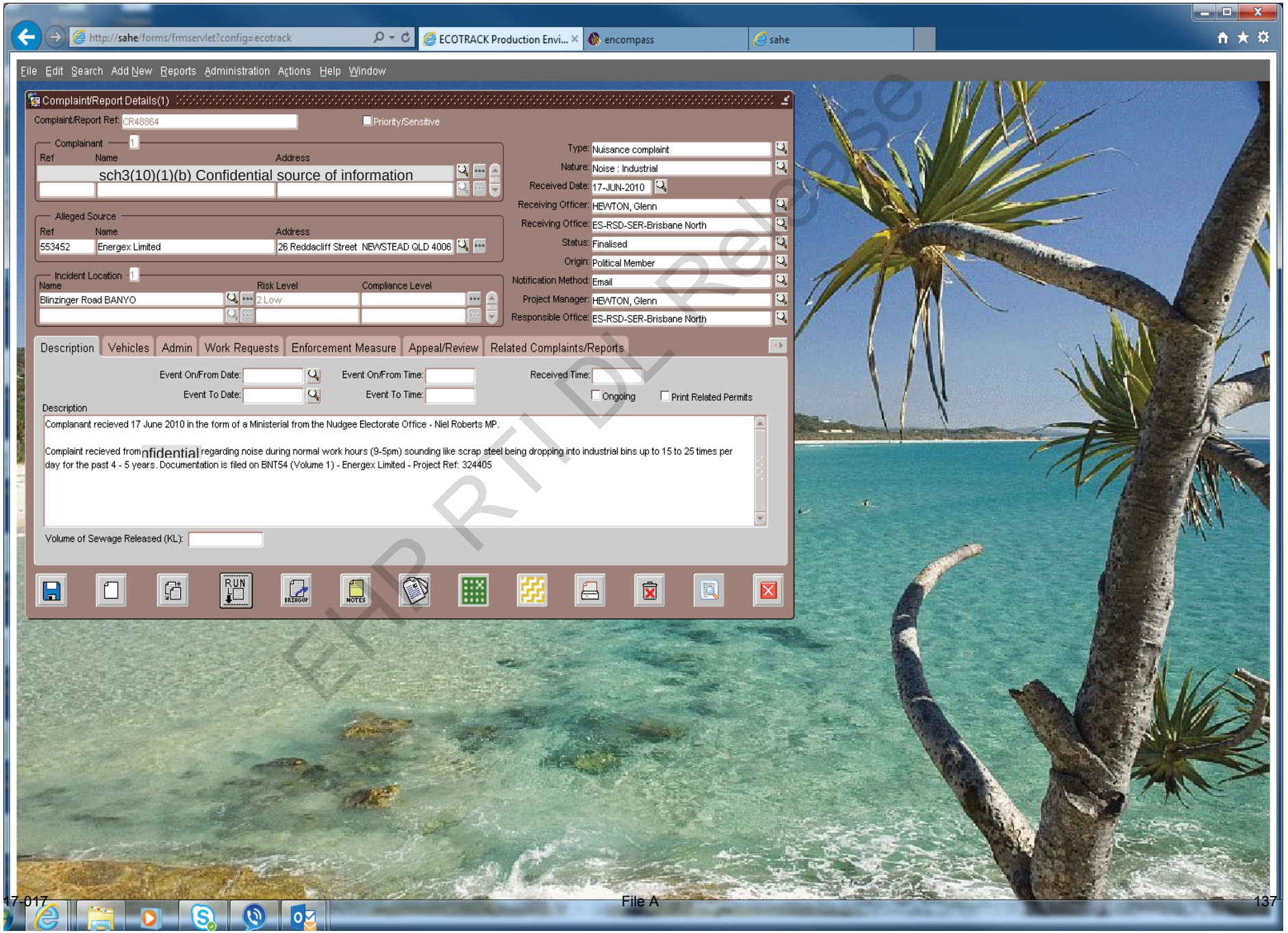
Region / Business Group:		
Briefing Officer: [Name and Title]	Telephone:	Date:
Approving Officer: [SDET Member - Name and Title]	Telephone:	Date:

DERM officer has also contacted Energex's Environment Division to discuss Energex's approach to dealing with the complaint. DERM is still awaiting a response.

DERM will continue to investigate the complaint and mediate the process.

EHP RTI DL Release

Region / Business Group:		
Briefing Officer: [Name and Title]	Telephone:	Date:
Approving Officer: [SDET Member - Name and Title]	Telephone:	Date:



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ENERGEX					
PERMIT		Lot on Plans	STATUS	ERA	SITE
SR0450			CANCELLED		
			07/08-PENDING- no details in entry	28 MOTOR VEHICLE WORKSHOP1 84(B) REGULATED WASTE STORAGE FOR FERTILIZER1	84(B) All 4 sites. 28-Banyo only
			06/07 Incomplete. Paid $500 23/7/2007 (Complete box ticked in file- No other comments in Ecotrack or file why full amount was not paid or chased)		Banyo, Southport, Maroochydore, Raceview
			05/06 COMPLETE $2000 PAID Rec #168318 Ecotrack correct		Banyo, Southport, Maroochydore, Raceview
			04/05 Complete $2000 Rec #157512 Ecotrack correct		Banyo, Southport, Maroochydore, Raceview
SR0450			SUPERSEDED		
			No Entries for years or dollars	28 MOTOR VEHICLE WORKSHOP1 84(B) REGULATED WASTE STORAGE FOR FERTILIZER1	84B All 4 sites. 28-Banyo only

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ENRE00738108			**SUPERSEDED 14/1/2008**		
139 of 160139139			No Entries for years or dollars	11(A) CRUDE OIL STORING >10000 BUT <500000L2 28 MOTOR VEHICLE WORKSHOP1 84(B) REGULATED WASTE STORAGE FOR FERTILIZER1	11(a) Banyo Only 28-All 4 sites 84(b) Banyo only
			SUPERSEDED 30-JAN-2009		
			New ERAs. No Entries for years or dollars	56-(2) REGULATED WASTE STORAGE 8-(3A) CHEMICAL STORAGE >10M3 BUT <500M3 CLASS C1 OR C2	56(2) and 8(3a) all 4 sites
	DAs		**CURRENT 09-FEB-2009**		
	IPDE00850408 for ERA28 now 21 and 84(B)-now 56.2. Both Banyo only IPDE00835608 for ERA 11(b) now 8.3(a)-Banyo only.	L1&2 on RP124669. L1&2 on RP82824 for both DAs	09/10 Complete Rec #3914270 30/8/2010 $4200.00 Ecotrack correct	56-(2) REGULATED WASTE STORAGE 8-(3A) CHEMICAL STORAGE >10M3 BUT <500M3 CLASS C1 OR C2	Banyo Only
			08/9 No entry for this year- it appears in Superseded ENRE00738108 31/1/2009 with ERA21	56-(2) REGULATED WASTE STORAGE 8-(3A) CHEMICAL STORAGE >10M3 BUT <500M3 CLASS C1 OR C2	Banyo Only
			SUPERSEDED 31/1/2009		
			08/9 Complete Rec 1400034223 8/2/2010 $4200.00	56-(2) REGULATED WASTE STORAGE 8-(3A) CHEMICAL STORAGE >10M3 BUT <500M3 CLASS C1 OR C2 21-MOTOR VEHICLE WORKSHOP OPERATION	Banyo -all 3 ERAs. 21 -all 4 sites
ENRE00762408			Not in Ecotrack- refer to duplication issue		

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ENRE01018309	DAs		CURRENT		
	IPDE00850408 for ERA28 now 21 and 84(B)-now 56.2. Both Banyo only. IPDE00850308 (SR0450) ERA 28 now 21 for Raceview only IPDE00850608 (SR0450) ERA 28 now 21 for Maroochydore only. IPDE00850508 (SR0450) for ERA28 now 21 for Southport only.	**Banyo-** L1&2 on RP124669. L1&2 on RP82824 for both DAs s.73	10/11 Pending	21-MOTOR VEHICLE WORKSHOP OPERATION	Banyo, Southport, Maroochydore, Raceview
			09/10 Complete Rec 1400034223 8/2/2010 $1400.00		
			08/9 No entry for this year- it appears in Superseded ENRE00738108 31/1/2009 with ERA56.2 and 8.3A		
10/12/09 ENRE00738108 was initialy for 4 sites - Banyo - ERA's 56-(2), 8-(3a) & 21 and ERA's 21 for Maroochydore, Raceview and Southport.					
As per their response to our letter regarding integrated authorities I have left ENRE00738108 as being for Banyo ERA's 56-(2) and 8-(3a) and have					
created a new registration certificate no. ENRE01018309 for ERA 21 for their 4 sites being Banyo, Maroochydore, Raceview and Southport.					
ERA 21 is not devolved as this is a government agency. JKH					
27/1/2010 Received application form but no fees. 10/2/2010 Application form sent to distict to follow up.KT.					
17/2/10 EFT details on application form - chasing up with SSA for confirmation of receipting. JKH					
7/5/10 The receipt for the previous entry for 29/1/08 to 28/1/09 was incorrectly entered here as well but we only received one payment. JKH					
			Where is the permit for ERA 56.2 and 8.3A for Southport, Maroochydore and Raceview? There is no record od DAs for these sites for these ERAs.		

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Environmental Protection Act 1994

Licence No. SR450

Section 45(1)

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

To: Energex Limited

Address: 17th Floor, 150 Charlotte Street
BRISBANE QLD 4000

in respect of carrying out the environmentally relevant activity at the following place:

located at: s.73

ERA 28 - Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm) or on a commercial basis

in respect of carrying out the environmentally relevant activity at the following place:

located at: s.73

ERA 28 - Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm) or on a commercial basis

in respect of carrying out the environmentally relevant activity at the following place:

located at: s.73

ERA 28 - Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm) or on a commercial basis

in respect of carrying out the environmentally relevant activities at the following place:

Lot 1 and 2 on Plan RP124669, and Lot 1 and 2 on Plan RP82824, County of Stanley, Parish of Toombul

located at: Blinzinger Road
BANYO QLD 4014

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Environmentally Relevant Activities:
28 - Motor vehicle workshop
84(b) - Regulated waste storage

ERA 28 - Motor vehicle workshop - operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm) or on a commercial basis

ERA 84(b) - Regulated waste storage - operating a facility for receiving and storing - other regulated waste, other than waste stored.

(i) on a farm for use as a soil conditioner or fertiliser in carrying out an agricultural activity; or
(ii) for use in manufacturing a saleable product under another item of this schedule; or
(iii) for incineration under item 76; or
(iv) recycling, reprocessing or reconditioning under items 77 to 79 or 81).

This environmental authority is issued subject to the conditions set out in the schedules attached to this environmental authority.

This licence takes effect from 14 February 2000.

s sch4p4(6) Personal information .....

R.T. Anderson
Regional Service Director
Delegate of Administering Authority
Environmental Protection Act (1994)

date .....27/1/00.....

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Environmentally Relevant Activities:
28 - Motor vehicle workshop
84(b) - Regulated waste storage

This environmental authority consists of the following schedules -

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule F - Noise

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I - Definitions

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Environmentally Relevant Activities:
28 - Motor vehicle workshop
84(b) - Regulated waste storage

SCHEDULE A - GENERAL CONDITIONS

Display of Environmental Authority

(A1) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A2) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

(A3) 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 environmental authority.

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

Calibration

(A4) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.

Integrated Environmental Management System (IEMS)

(A5) The holder of this environmental authority must have developed and implemented an Integrated Environmental Management System (IEMS) which provides for the effective and appropriate management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activity/activities.

(A6) The Integrated Environmental Management System must provide for at least the following functions:

(i) The monitoring of releases of contaminants into the environment for example, monitoring of stormwater to ensure effectiveness of procedures adopted;

(ii) The assessment of the environmental impacts of any releases of contaminants into the environment, for example, monitoring of noise emissions to resolve a complaint; and

(iii) The training of all relevant staff, agents and contractors ("staff") to competent levels in at least the following:

(a) The environmental policy of the holder of the environmental authority so that staff are aware of any relevant commitments to environmental management; and
(b) Any relevant environmental objectives and targets so that all staff are aware of the relevant performance objectives and can work towards these; and
(c) Control procedures for routine operations for day to day operational activities to prevent or minimise environmental harm, however occasioned or caused; and

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(d) Contingency plans and emergency procedures 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
(e) Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
(f) Effective communication to ensure two-way communication on environmental matters between operational staff and management as well as communications with the administering authority; and
(g) Documentation systems so that appropriate records of environmental matters are kept to satisfy the holder of this environmental authority, the administering authority and the community that the applicant is meeting environmental commitments; and
(h) Responsibilities of the holder of this environmental authority and staff under the Act so that these can be met; and

(iii) The conduct of environmental and energy audits to review periodically:

(a) the level of environmental performance; and
(b) the effectiveness of environmental management procedures adopted; and

(iv) The implementation of an effective and appropriate practices and procedures for management of waste.

(A7) The holder of this environmental authority must prepare a report summarising the outcomes of the environmental and energy audits required by condition A6(iii) and submit the report with the annual return which follows the conduct of the audits.

(A8) The IEMS must address the management of the actual and potential environmental impacts resulting from the carrying out of the environmentally relevant activities by the holder of this environmental authority at the following locations.

ERA	Location	Place
s.73		
ERA 28 Motor vehicle workshop ERA 84(b) Regulated waste storage	Blinzinger Road, Banyo 4014	Lot 1 and 2 on Plan RP124669, Title Reference 14462161, Lot 1 on Plan RP82824, Title Reference 12902164, and Lot 2 on Plan RP82824, Title Reference 12902165

Amendments

(A9) The holder of this environmental authority may amend the IEMS as well as any other plans required by this environmental authority.

(A10) The amendment must be properly incorporated to the original document.

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(A11) The holder of this environmental authority must not implement any amendment where such amendment would result in a contravention of any licence condition and or recent editions of the referred document(s) in this environmental authority.

End of Conditions for Schedule A

EHP RTI DL Release

Environmentally Relevant Activities:
28 - Motor vehicle workshop
84(b) - Regulated waste storage

SCHEDULE B - AIR

Release of Contaminants to the Atmosphere

(B1) This environmentally relevant activity must be carried out by such practicable means necessary to prevent the release or the likelihood of release of contaminants, that will or may cause environmental harm.

Nuisance

(B2) Notwithstanding any other condition of this environmental authority no release of contaminants from the licensed place is to cause a noxious or offensive odour beyond the boundaries of the licensed place.

End of Conditions for Schedule B

EHP RTI DL Release

Environmentally Relevant Activities:
28 - Motor vehicle workshop
84(b) - Regulated waste storage

SCHEDULE C - WATER

(C1) Contaminants that will or may cause environmental harm, must not be directly or indirectly released from the licensed place to any waters or the bed and banks of any waters except:

(i) as permitted under the stormwater management schedule; or
(ii) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Conditions for Schedule C

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SCHEDULE D - STORMWATER MANAGEMENT

General

(D1) The maintenance, cleaning and washdown of vehicles, transformers and any other equipment or plant must be carried out in areas from where contaminants cannot be released to any waters, roadside gutter or stormwater drainage system.

(D2) Any spillage of wastes, contaminants or other materials capable of causing environmental harm or nuisance must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Stormwater Management Plan

(D3) The holder of this environmental authority must have developed and implemented an effective and appropriate Stormwater Management Plan.

Washing and cleaning of vehicles and other equipment and plant

(D4) Waste generated by the washing and cleaning of vehicles and other equipment and plant must be treated by:

(i) an oil/water separator; and
(ii) a sediment collection sump or trap.

(D5) The oil/water separator must be operated and maintained such that:

(i) the oil and grease concentration of the waste is minimised to the greatest practicable extent;
(ii) collected waste oil and sludge from the oil/water separator is removed as often as necessary to ensure effective operation of the separator; and
(iii) detergents or other emulsifying agents are prevented as far as reasonable and practicable from entering the separator.

(D6) A record must be maintained of the time and date of the desludging and maintenance of the oil/water separator.

(D7) Drains and bunds must be provided to ensure surface stormwater runoff is excluded from the washing area.

(D8) Washing, cleaning and draining of batteries must be carried out in areas from where resultant contaminants cannot be released to any land, waters, roadside gutter or stormwater drainage system.

Bunding

(D9) All chemical tank storages including storages of fuel, oil, paints, solvents, solvents baths, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest storage tank plus ten percent (10%) of the second largest tank within the bund.

(D10) All chemical drum storages including storages of fuel, oil, paints, solvents, waste oil, and waste solvents must be bunded so that the capacity of the bund is sufficient to contain at least twenty five percent (25%) of the maximum design storage volume within the bund.

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(D11) Drums containing waste oil with PCB are not required to be bunded as long as they are stored in relocatable bulk dangerous good stores at the location indicated in the environmental site map of the Banyo Complex No 12U_S103/F provided on 3 December (Reference: ENV99396).

(D12) All areas used for the storage of damaged transformer(s) must be bunded so that the capacity of the bund is sufficient to contain any spillage, leakage or other escape of polychlorinated biphenyls and other contaminants contained in the transformer(s)..

(D13) All bunding must be constructed of materials which are impervious to the materials stored.

(D14) All bunded areas must be roofed where practicable.

(D15) Where it is impractical to completely roof a bunded area the holder of this environmental authority must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.

(D16) A collection sump must be provided in the floor of the bunding to facilitate the removal of liquids. The bund floor must be graded so that the fall is towards the collection sump.

(D17) All required pipework from the bunded areas must be directed over the bund wall and not through it.

(D18) All empty drums must be stored on a concrete hardstand area with their closures in place.

(D19) All drums and other containers which have held solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be stored in a bunded area.

(D20) All drums containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste must be sealed to prevent loss of contents or exposure of the contents to the atmosphere.

(D21) There must be no visible leakage of the contents of any drum containing raw materials, solvents, polychlorinated biphenyls, oils, waste oils, paints, thinners or regulated waste.

End of Conditions for Schedule D

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Environmentally Relevant Activities:
28 - Motor vehicle workshop
84(b) - Regulated waste storage

SCHEDULE E - LAND APPLICATION

Release of Contaminants to Land

(E1) There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land, including battery acid, solvents, polychlorinated biphenyls and waste oil.

End of Conditions for Schedule E

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SCHEDULE F - NOISE

Emission of Noise

(F1) In the event of a complaint made to the administering authority about noise that is unreasonable and/or intrusive, and that the administering authority considers is not frivolous or vexatious, then the emission of noise from the licensed place, except for blasting noise, must not result in levels greater than those specified in Schedule F Table 1.

SCHEDULE F - TABLE 1

NOISE LIMITS AT A NOISE SENSITIVE PLACE	
Period	***Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 5 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 5 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 3 dB(A)
All other times and public holidays	Background noise level
NOISE LIMITS AT A COMMERCIAL PLACE	
Period	***Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level*** $L_{Amax\ adj,\ T}$
Monday to Saturday 7 am - 6 pm	Background noise level plus 10 dB(A)
Monday to Saturday 6 pm - 10 pm	Background noise level plus 10 dB(A)
Monday to Saturday 10 pm - 7 am	Background noise level plus 8 dB(A)
All other times and public holidays	Background noise level plus 5 dB(A)

End of Conditions for Schedule F

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SCHEDULE G - WASTE MANAGEMENT

General

(G1) Waste oil and polychlorinated biphenyls that are regulated waste must be removed from the licensed place by a person licensed under the Environmental Protection Act 1994 to transport that waste.

(G2) The holder of this environmental authority must not:

(i) burn waste at or on the licensed place; nor
(ii) allow waste to burn or be burnt at or on the licensed place; nor
(iii) remove waste from the licensed place and burn such waste elsewhere.

Site-based Polychlorinated Biphenyl Management Plan

(G3) The holder of this environmental authority, must have developed and implemented a Site-based Polychlorinated Biphenyl Management Plan which details how the holder of this environmental authority will effectively and appropriately manage the transport, transfer, handling, storage and disposal of polychlorinated biphenyls so as to prevent, as far as is practicable, any environmental contamination being caused as a result of these activities.

(G4) The Site-based Polychlorinated Biphenyl Management Plan must provide for the following functions:

- prevention of incident stormwater and stormwater runoff from contacting polychlorinated biphenyls; and
- diversion of upstream runoff away from areas containing polychlorinated biphenyls; and
- minimisation of the size of areas containing polychlorinated biphenyls, and
- cleaning of any spillage or other release of polychlorinated biphenyls, and
- the taking of all reasonable and practicable measures necessary to prevent and/or to minimise the likelihood of environmental harm (including contamination of stormwater, sewage and contamination of land) being caused in carrying out any transport, transfer, handling, storage and disposal of polychlorinated biphenyls; and
- an audit of the likely quantity of PCB contaminants at the licensed premises; and
- a management plan with a timeframe for the cessation of the environmentally relevant activity, as it relates to PCBs; and
- a sampling and analysis program to determine the concentration of polychlorinated biphenyls in waste and materials handled in carrying out the environmentally relevant activity, including the keeping of records identifying the waste and material handled with cross referencing to analysis results; and
- methods to manage any emergency situation where there is a release of PCB waste to the environment; and
- staff training in the competent carrying out of the environmentally relevant activity and awareness of environmental issues related to the environmentally relevant activity; and
- continuous monitoring and annual review of the systems and strategy of the plan in order to identify and implement changes that will improve the plan.

(G5) In developing and implementing the Site-based Polychlorinated Biphenyl Management Plan, the holder of this environmental authority must have regard to the "Polychlorinated Biphenyls Management Plan" endorsed by the Australian and New Zealand Environment and Conservation Council (ANZECC).

(G6) A copy of the Site-based Polychlorinated Biphenyl Management plan must be kept at each licensed place in or on which polychlorinated biphenyls are handled.

EHP RTI DL Release

Off Site Movement

(G7) Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority must monitor and keep records of the following:

(a) the date, quantity and type of waste removed; and
(b) name of the waste transporter and/or disposal operator that removed the waste; and
(c) the intended treatment/disposal destination of the waste; and
(d) where the waste is a polychlorinated biphenyl, the concentration of polychlorinated biphenyls in the waste.

(G8) All disposal of wastes generated in carrying out the environmentally relevant activity must be to a proper and appropriate facility that accepts such wastes, except as specifically provided for under the conditions of this environmental authority.

(G9) Regulated waste such as polychlorinated biphenyls, paints, sludges, solvents and waste oil must not be placed in industrial bins or other containers that would result in that waste entering the general waste stream.

(G10) Records of trade waste agreements must be kept at the licensed place to which they relate and be made available to an authorised person who asks to see them.

Notification of Improper Disposal Of Regulated Waste

(G11) If the holder of this environmental authority 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 environmental authority or improper or unlawful, then the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of Conditions for Schedule G

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SCHEDULE H - MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the 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) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

Notification of Emergencies and Incidents

(H2) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, as soon as practicable after becoming aware of any emergency or incident that results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.

(H3) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, the notification of emergencies or incidents as required by condition number H2 must include but not be limited to the following:

(a) the name of the holder of the environmental authority;
(b) the location of the emergency or incident;
(c) the number of the environmental authority;
(d) the name and telephone number of the designated contact person;
(e) the time of the release;
(f) the time the holder of the environmental authority became aware of the release;
(g) the suspected cause of the release;
(h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
(i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(H4) Where the holder of this environmental authority has not given notification to the administering authority under Section 37 of the Environmental Protection Act, not more than fourteen (14) days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition H3 in addition to:

(a) proposed actions to prevent a recurrence of the emergency or incident; and
(b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
(c) the results of any environmental monitoring performed.

(H5) The holder of this environmental authority must ensure that the results of all monitoring performed in accordance with this environmental authority for the period covered by the return are submitted with the Annual Return.

EHRT Do Release

Noise Monitoring

(H6) For the purposes of checking compliance with condition F1 and investigating any complaint made about noise that allegedly constitutes an annoyance, monitoring and recording of the noise levels from the activity/activities must be undertaken for the following descriptors, characteristics and conditions:

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

(H7) Environmental noise monitoring must be undertaken to investigate any complaint of noise annoyance upon receipt of a written request from the administering authority to carry out such monitoring.

(H8) The method of measurement and reporting of noise levels must comply with the Department of Environment and Heritage Noise Measurement Manual; second edition, March 1995, or more recent editions or supplements to that document as become available.

(H9) 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.

(H10) Records must be kept of the results of all monitoring of noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.

End of Conditions for Schedule H

EHP RTI DE Release

SCHEDULE I - DEFINITIONS

For the purposes of this environmental authority the following definitions apply:

(I1) "administering authority" means the Environmental Protection Agency or its successor.

(I2) "land" means land excluding waters and the atmosphere.

(I3) "polychlorinated biphenyl" and 'PCB" means a substance in which the biphenyl structure has chlorine atoms substituted for hydrogen atoms to varying degrees. PCB has the chemical formula $C_{12}H_{10-n}Cl_n$ where 'n' is a number in the range 1 to 10 inclusive.

(I4) Any non-domestic waste, other than contaminated soil, with a concentration of PCB which is greater than 2 mg/kg (ppm) is regulated waste, due to the PCB content.

(I5) Any waste, other than contaminated soil, with a concentration of PCB which is equal to or less than 2 mg/kg (ppm) is not regulated waste, due to the PCB content.

(I6) Soil which has a concentration greater than 2 mg/kg (ppm) is contaminated soil, and hence regulated waste, due to the PCB content.

(I7) "$L_{Amax\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I8) "background noise level" means either:

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

$L_{abg,\ T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than fifteen (15) minutes, using Fast response.

(I9) "Max $L_{pA,\ T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I10) "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.

(I11) "commercial place" means a place used as an office or for business or commercial purposes.

(I12) "unreasonable noise" means noise that causes unlawful environmental harm.

(I13) "intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration that is

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

End of Conditions for Schedule I

EHP RTI DL Release

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Checklist

Section 73O — *Environmental Protection Act 1994*

Requirements for surrender of a registration certificate

This checklist is to enable officers to assess a surrender application using the criteria of section 73O of the Environmental Protection Act 1994*.*

Applicant details

Name of applicant:	Energex Limited	
Rego no: ENRE00738108	DA no: IPDE00850408 (Regulated Waste Storage) and; IPDE00835608(Chemical Storage)	File no: BST1104-1

Application requirements

Is the correct form attached?	☒ Yes	☐ No
Has an audit statement been included with the application?	☒ Yes	☐ No

NOTE:
No fee is payable for a surrender application.

Where there are multiple activities on the registration certificate, the application does not have to be for all of the activities on the registration certificate. Where one or more activities remain after a surrender, an administrative amendment would be made to give effect to the change and an amended registration certificate would be issued.

Validity of application

After completing the list above, mark which of the following applies:

If all of the 'Yes' boxes are marked, the surrender application can be processed…….. ☒
If all the 'No' boxes are marked, the application is invalid and should be returned to the applicant using the unacceptable application notice…….. ☐

Surrender requirements

Has the activity commenced?	☒ Yes ☐ No —	if no, surrender must be approved (see section 73O(4))

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www.epa.qld.gov.au ABN 87 221 158 786

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Has the activity been abandoned or the activity ceased?	☒ Yes	☐ No —	if no, surrender is not required[1]
Has an audit statement been made by or for the registration certificate holder?	☒ Yes	☐ No —	if no, application is not valid
Does the audit statement state the extent to which activities under the registration certificate have complied with the conditions of the development approval or code of environmental compliance?	☒ Yes	☐ No —	if no, the form is not properly completed (section 49 of the *Acts Interpretation Act 1954*). Arrange for the applicant to properly complete the forms
Has, or will, the land on which the activity was carried out been satisfactorily remediated?	☒ Yes	☐ No —	if no, the surrender cannot be approved (see section 73O(5)).
Are there parts of any EPPs that apply to this registration certificate?	☐ Yes	☒ No	
If yes – is the activity in compliance with the relevant section?	☐ Yes	☐ No	

Decide application

Have you considered the standard criteria?	☒ Yes	☐ No	
Have you considered the audit statement for the registration certificate?	☒ Yes	☐ No	
Have the conditions of the development approval or code of environmental compliance been complied with?	☒ Yes	☐ No	
Has a relevant EMP been approved by the EPA and will the EMP ensure that the land will be satisfactorily rehabilitated under the program?	☐ Yes	☐ No	☒ N/A
Has a suitability statement been given for the land and i) Has the land been removed from the EMR; or ii) Has a site management plan been approved for the land?	☐ Yes ☐ Yes ☐ Yes	☐ No ☐ No ☐ No	

Recommendation

After completing the list above, mark which of the following applies:

It is considered that the surrender application should be **granted**…… ☒

It is considered that the surrender application should be **refused**…… ☐

Statement of reasons:

The activities that are to be surrendered have ceased at the site. All equipment used to operate these 2 ERAs have been decommissioned and removed from the site e.g. tanks, pipework etc. Photographs depicting these changes on site have been provided with the application to demonstrate the removal of this equipment.

[1] Where a surrender application has been made, it must be processed where the activity will continue to be operated by another entity (i.e. there has been an application for a continuing registration).

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ecoaccess
environmental licences and permits

Checklist

Requirements for surrender of a registration certificate

All regulated waste that was stored on site has been disposed of to an appropriate facility – certificate of disposal has been provided with the surrender application.

All chemicals that were stored on site have also been removed from this site and taken to Energex Eagle Farm Distribution Centre; a new site which has the appropriate registration to carry out this activity (ERA 8.3a) as of 2011. The only remaining chemicals stored on site are 500 L of oil, which is below the threshold for chemical storage. This remaining oil is being stored in a roofed, hardstand area.

Audit statements have been completed for both development approvals that relate to the 2 ERAs being surrendered. The statements adequately address the requirements for compliance with each of the relevant conditions.

Assessing officer name: Rebecca Davidson **Date:** 11 July 2012

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