

650th Council Meeting

4 December 2012

City Planning Committee Meeting 28
(November 2012)

ITEM 1 **IMPLEMENTATION & ASSESSMENT BRANCH**
MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
PN131872/13/DA2

Refer 56 page attachment

BRIEF SUMMARY

Council is in receipt of a Material Change of Use (Impact Assessable) development application seeking a Development Permit for Industry (Advanced Waste Transfer Facility/ Biomass Power Generation Plant), Bulk Garden Supplies and Environmentally Relevant Activities being ERA 8 – Chemical Storage, ERA 14(2)(a) – Electricity Generation, ERA 33 – Crushing, Milling, Grinding or Screening, ERA 53 – Composting and Soil Conditioner Manufacturing, ERA 55 – Regulated Waste Recycling or Reprocessing, ERA 56 – Regulated Waste Storage, ERA 58 – Regulated Waste Treatment, ERA 62 – Waste Transfer Station Operation at 126 Sandy Creek Road, Yatala (Lot 1 on RP158997).

Additionally, the development application seeks approval for Operational Works (Change to Ground Level) (Development Permit) to establish a series of elevated platforms internal to the site to be allocated a separate operational process, undertaken as part of an Environmentally Relevant Activities (ERA's).

The subject site is located within Precinct 4: 'Future Business and Industry' of the Yatala Enterprise Local Area Plan. The Yatala Enterprise Area LAP Map 29.4 – 'Ultimate Precincts' identifies that the Future Business and Industry Precinct area west of the Pacific Motorway and Sandy Creek Road will ultimately become Precinct 1: 'General Impact Business and Industry' once adequate infrastructure is in place.

The Yatala Enterprise Local Area Plan (YEALAP) identifies that the only forms of development that are intended to be permitted within precinct 4, prior to any future precinct designation changes, are those that will neither compromise the capacity of Precinct 1 areas to develop intensively for industry in the future, nor compromise the development of other parts of the plan area for intended purposes. In addition, the intent identifies that any out of sequence business and industry development is not precluded from locating within precinct 4 where the proponent is prepared to pay the full cost to offset the impact of out of sequence development (infrastructure provision).

In response to these overarching planning objectives, it is noted that relevant Council Officers have recommended conditions of approval to ensure the provision of infrastructure required to support the functioning of this proposal. Further, it is not considered that the introduction of the Advanced Waste Transfer Facility/Biomass Power Generation Plant within an existing industrial development will compromise the overall capacity of this future Precinct 1 area of the YEALAP, or compromise the development of other parts of the plan area for industrial purposes.

In addition to assessment of the proposal against the relevant Precinct 4 objectives, specific consideration was given to the scale and magnitude of the industrial proposal and the potential for adverse off-site environmental impacts associated with the operation of the Biomass Power Plant.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Specifically, consideration was given to the appropriateness of this industrial use within this locality and the thoroughness of the associated environmental design and safety controls. In this regard, the Precinct 1 area of the YEALAP on the western side of the motorway is envisaged to contain those industrial uses, which are by their nature potentially hazardous or offensive or require large scale buildings and operations, yet can operate at established environmental and safety thresholds. Further, the YEALAP intent identifies that these industrial uses which may have off-site impacts should be separated from residential and other sensitive uses ideally by portions of Industry Precinct – Precinct 2: Low Impact Business and Industry to act as a buffer to more intense industrial processes.

In terms of site location, the subject site is located within the core of the future Precinct 1: 'General Impact Business and Industry area located west of the Motorway. With the ultimate precinct outcomes, this future portion of Precinct 1 will be flanked to the east and west by portions of Precinct – Precinct 2: Low Impact Business and Industry whilst the Open Space Precinct of the YEALAP provides for the direct interface to the nearby residential areas within the residential domain designations of Yatala (500m away) and Ormeau (1.3 km away).

In terms of environmental design controls and thresholds, the Department of Environment and Heritage Protection (DEHP) have provided their Concurrence Agency response and conditions of approval for the ERA's, effectively stating that the environmental impacts associated with the Biomass Power Plant and various ERA processes can be dealt with via environmental management plans and ongoing monitoring. DEHP have undertaken an assessment of the Environmentally Relevant Activities associated with the proposed Biomass Power Generation Plant and have issued conditions of approval to regulate the key operational procedures. These conditions of approval will essentially form the site specific environmental management plan/s (transportation, noise, dust suppression measures, complaints, record keeping, ongoing hazard assessment etc). In addition, the Assessing Officer has been advised by DEHP that the approved technical reporting and associated design mitigation measures associated with the proposal take into consideration the residential living environment of the residential properties located directly opposite the subject site along Sandy Creek Road.

On this basis, it is considered that the proposed industry development is located within an location appropriate to its scale and intensity and complies with the key planning intent of the Yatala Enterprise Local Plan. Furthermore, the issue of revised DEHP Concurrence Agency response demonstrates that the proposal can be designed to operate within the appropriate environmental and safety thresholds.

The development application was also referred to the Department of Transport and Main Roads as a Concurrence Agency. Via written correspondence, dated 25 January 2010, this department confirmed they have no objections to the proposal.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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In addition to the above Concurrence Agency responses, the Department of Emergency Services (now Emergency Management Queensland) was nominated as a Concurrence Agency in consideration of the site being deemed a major hazardous facility. Via formal letterhead correspondence, this department advised that the proposal represented a large dangerous goods location and where approved by the local government is required to ensure ongoing compliance with Dangerous Goods Storage Safety Management Act 2001.

The development application was subject to public notification in accordance with the Integrated Planning Act 1997. In response to Public Notification, Council received the following:

- 27 x Properly Made objections
- 2 x Not Properly Made Objections
- 1 x Not Properly Made Petition with 12 signatures
- 1 x Not Properly Made Petition with 4,000 signatures

The points of objection, followed by the Applicant's Representations and the Assessing Officers comments are outlined later within this report. In this regard, it is considered that the issues raised by the submitters have been adequately addressed and do not warrant refusal of this development application.

In summary, it is considered that the Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) proposal represents a scale and intensity of land use, which is consistent with the regional significance of the core area of Precinct 1 of the YEALAP and the overall planning intent for Yatala Enterprise Area Local Area Plan. In addition, it is considered the Applicant has adequately demonstrated that the proposal will not compromise residential amenity or the DEO's of the Planning Scheme.

As such, it is recommended that the proposed development be approved subject to reasonable and relevant conditions.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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BASIC INFORMATION

Title Details	Lot 1 on RP158997
Address	126 Sandy Creek Road, Yatala
Applicant	Phoenix Power Recyclers Pty Ltd
Owner At Time Of Lodgement	Neville Jeffrey Brownlow & Thomas John Mccarthy & Australian Recycling Machinery Pty Ltd & Australian Mulch Products Pty Ltd
Current Owner	Neville Jeffrey Brownlow & Thomas John Mccarthy & Australian Recycling Machinery Pty Ltd & Australian Mulch Products Pty Ltd
Site Area	20.35 hectares
Date Application Received	17 December 2009
Date Entered Decision	19 November 2012
Decision Due Date	17 December 2012
LAP & Precinct	Yatala Enterprise Area Local Area Plan – Future Business and Industry Precinct
State Planning Policies	Not Applicable
Approval Type	Development Permit (Material Change of Use and Operational Works – Change to Ground Level)
Submissions	27 x Properly Made Objections 2 x Not Properly Made Objections 1 x Properly Made Petitions (Objection) with 12 signatures 1 x Not Properly Made Petition (Objection) with 4,000 signatures

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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BACKGROUND

In May 1993, Council gave consent approval for Bulk Garden Supplies. The approval allowed for the storage of wood shavings and sawdust. The approval excluded the ability to undertake the storage of organic fertiliser.

In October 1993, Council gave consent approval for a Fuel Depot at the subject site.

On 5 October 1998, after an inspection of the premises, Council issued a show cause notice against the operators of the business, Leppington Pastoral. Council found the operator in breach on condition 2 of the Bulk Garden Supply approval, which prohibited the storage of organic fertiliser.

On 14 December 1998, City and Regional Planners Pty Ltd on behalf of Organic Fertilizers (Leppington) Pty Ltd, lodged a Material Change of Use for Medium Industry (Manufacture of Soil Conditioning Agent) over the subject site.

On 16 April 1999, Council gave approval for a Material Change of Use for Medium Industry (Manufacture of Soil Conditioning Agent) subject to conditions (Minute No. N99.0413.001). The approval permits the use of materials such as timber shavings, woodchip and chicken litter to produce soil conditioners and other compost products.

PROPOSAL

Council are in receipt of a Material Change of Use development application which seeks the issue of a Development Permit/s for:

- Bulk Garden Supplies (Expansion of existing operation);
- Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) (AWTF);
- Environmentally Relevant Activities:
 - ERA 8(1)(c) – Chemical Storage,
 - ERA 14(2)(a) – Electricity Generation,
 - ERA 33 – Crushing, Milling, Grinding or Screening,
 - ERA 53 – Composting and Soil Conditioner Manufacturing,
 - ERA 55 – Regulated Waste Recycling or Reprocessing,
 - ERA 56 – Regulated Waste Storage,
 - ERA 58 – Regulated Waste Treatment,
 - ERA 62 – Waste Transfer Station Operation.

Additionally, the Applicant seeks a Development Permit for Operational Works (Change to Ground Level).

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Operational Works (Change to Ground Level)

The development application seeks approval for Operational Works (Change to Ground Level) to establish a series of elevated platforms internal to the site.

The existing dams on site will also be rearranged and re-sized to ensure appropriate stormwater outcomes can be achieved.

Each of elevated pads is proposed to be allocated a separate operational process, undertaken as part of an Environmentally Relevant Activity (ERA). The respective pads functions are as outlined as follows:

- Pad 5: (proposed RL40.00m) proposed for the biomass power plant, dry fluid cooler units, fuel storage area and workshop;
- Pad 6: (proposed RL49.00m) proposed for the receiving and sorting of construction/ demolition waste (C& D) and commercial/industrial waste (C&I) and wood waste processing and composting yards
- Pad 7: (proposed RL48.00m) vacant pad (formerly proposed to provide the pad for a municipal waste facility. This component of the development is no longer proposed).

Of note, pads 8A, 8B and 8C, as identified on figure 3, are existing are proposed to be allocated the proposed composting and existing manufacturing of soil conditioner activities.

Bulk Garden Supplies (expansion of existing operation)

As outlined earlier within this report, the subject site was granted approval in April 1999 for the manufacturing of soil conditioning agents. The proposal involves upgrade of the existing facility to expand the existing manufacturing of soil conditioning agents and introduces composting activities. These inputs will result in an expansion of the existing Bulk Garden Supplies use.

The proposal involves expansion of the waste acceptance criteria currently approved to allow for additional green waste. The Applicant proposes to increase the volume of green waste delivered to the site from 200,000m³ to 250,000m³ per year.

Of note, the Applicant has submitted a transport impact assessment report in support of this proposal. The Applicant claims that the weighbridge data associated the delivery of 200,000m³ of green waste per year for the current operation (Bulk Garden Supply and Manufacturing of Soil Conditioning agents), results in an average of 108 heavy vehicle movements (in and out) per day. Based on this weighbridge data, an increase in the volume of green waste to 250,000m³ per year would result in an additional 27 trips per day (in and out).

Council's City Transport Branch raise no concerns with these representations or the ongoing functioning of the surrounding local road network as a consequence of this proposal. City Transport have recommended conditions of approval to upgrade the full length of the Sandy Creek Road frontage.

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1 PN131872/13/DA2

Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant (AWTF))

The Applicant has provided a flow diagram to illustrate the relevant processes and procedures associated with the various ERA's. The flow chart divides the site operations into two main inputs being, solid and liquid wastes and schematically shows the processes (ERA 33 - Crushing, Milling, Grinding or Screening, ERA 55 - Regulated Waste Recycling or Reprocessing, ERA 56 - Regulated Waste Storage, ERA 58 - Regulated Waste Treatment and ERA 62 - Waste Transfer Station Operation) and the end products/ services of the waste flow (ERA 14 (2) (a) - Electricity Generation and ERA 53 – Composting & Soil Conditioner Manufacturing). This flow diagram is shown below.

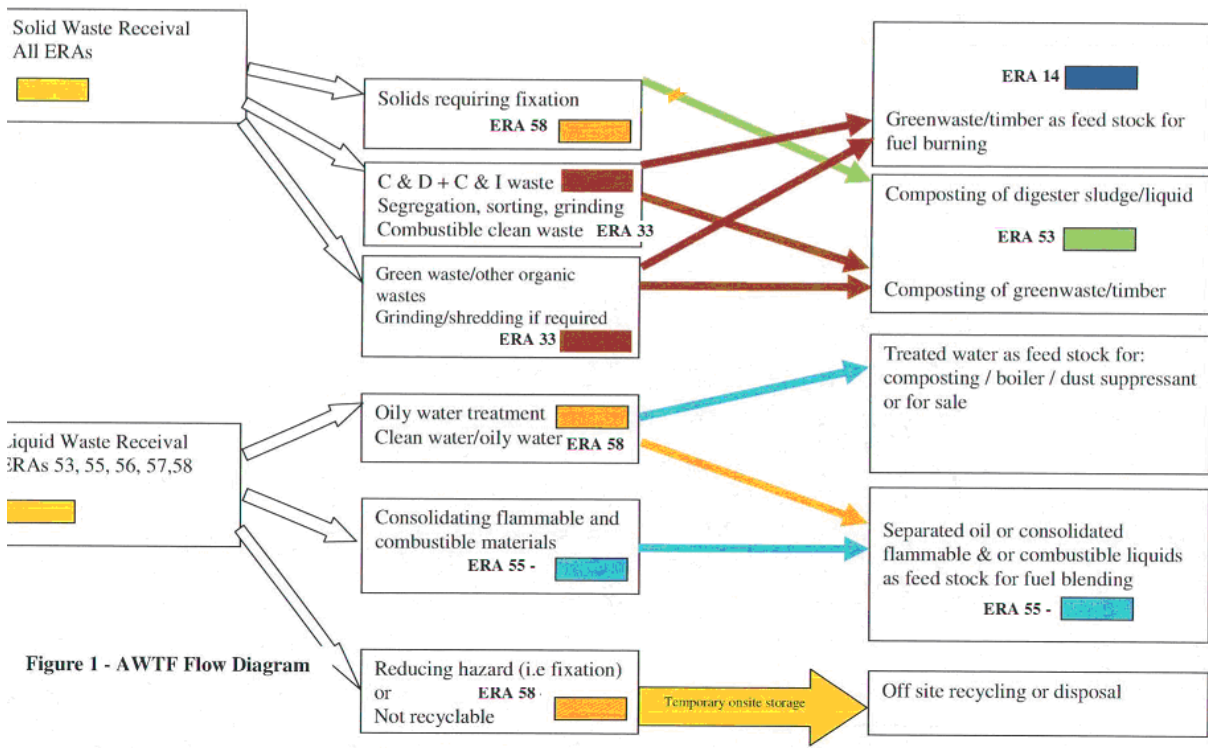


Figure1: Flow Diagram of throughputs and end products/services

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**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Figure 2 below outlines the ultimate process flow for the proposed facility.

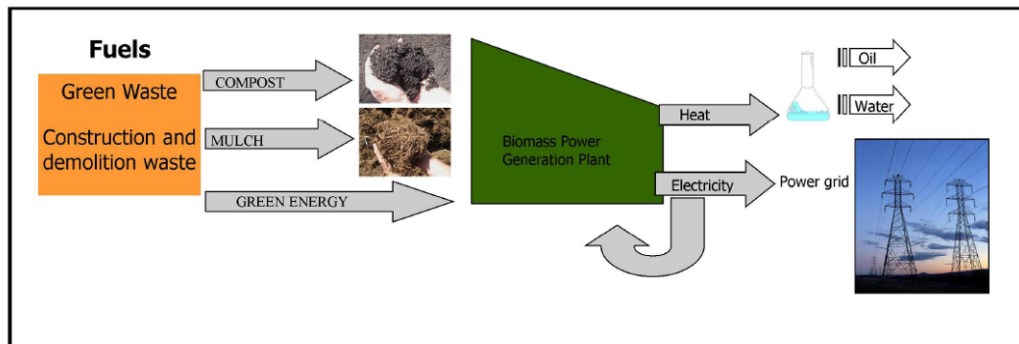


Figure 2: Process flow

The development proposal involves the provision of a 15 Mega Watt (MW) biomass co-generation plant, which is reliant upon green waste for fuel. It is proposed that the plant will utilise the oversized green waste not suitable for the manufacture of compost and mulch. In this regard, the Applicant states that the proposal includes plant and equipment, which will be sieve and grind the green waste to create three green waste streams. The larger particles will be used as biomass (fuel) for the cogeneration unit.

The cogeneration unit will be supplied to generate 'green' electricity from waste materials by combusting the green waste materials to heat water in a boiler. The steam from this process will then be used to spin a turbine and generate electricity, which is fed to the electricity grid constantly whilst the cogeneration plant is operational.

To operate the cogeneration unit, it is outlined that the plant will consume approximately 75,000 tonnes of green waste per year.

The Applicant states that the cogeneration unit will employ a system similar to the Hybrid Coal and Gas Turbine (HCGT), which is quoted as being developed by the CSIRO to produce power from waste gases, which would otherwise have been flared or vented to the atmosphere, contributing to greenhouse gas pollution, and other reject material not considered suitable for commercial power generation. A HCGT can burn gas, waste coal or as in the case of the proposal, biomass, in a rotary kiln to produce hot exhaust gases which in turn pass through a specially adapted heat exchanger to produce electricity.

ITEM 1 (Continued)

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Built Form/Infrastructure

The existing development layout includes an existing administration building and weighbridge adjacent to the Sandy Creek Road frontage of the site within the southern corner of the site.

The proposed power station infrastructure consists of three (3) main development footprints as outlined below:

- workshop (including extension),
- open canopy storage, flammable liquid store, regulated waste storage and fixation area and waste oil treatment;
- fuel storage shed & cogeneration plant; and dry fluid cooler units area (cooling towers).

The proposed workshop (extension) located directly west of the existing administration building is proposed to be 36.5m wide x 15.2m deep x 6.7m high.

The development footprint provided for the open canopy storage, flammable liquid store, regulated waste storage and fixation building and waste oil treatment building is located immediately west and north of the workshop extension area.

The regulated waste storage and fixation building is proposed to be 61 metres in length and 18 metres in depth and 5.6 metres in height. The storage vessels adjacent to the regulated storage/treatment building and fixation area have an overall height of 9.4 metres in height.

The waste oil treatment building is proposed to have an overall footprint of 30.6 metres in width and 30.4 metres in depth and 5.4 metres in height.

The biomass cogeneration power plant and associated buildings / plant will be located west of the existing buildings and infrastructure located within the south east corner of the subject site. The cogeneration plant footprint is proposed to be located approximately 45 metres from the southern property boundary and 200 metres from the eastern property boundary.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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The power plant/cogeneration unit is located west of the regulated waste storage and fixation building and waste oil treatment building.

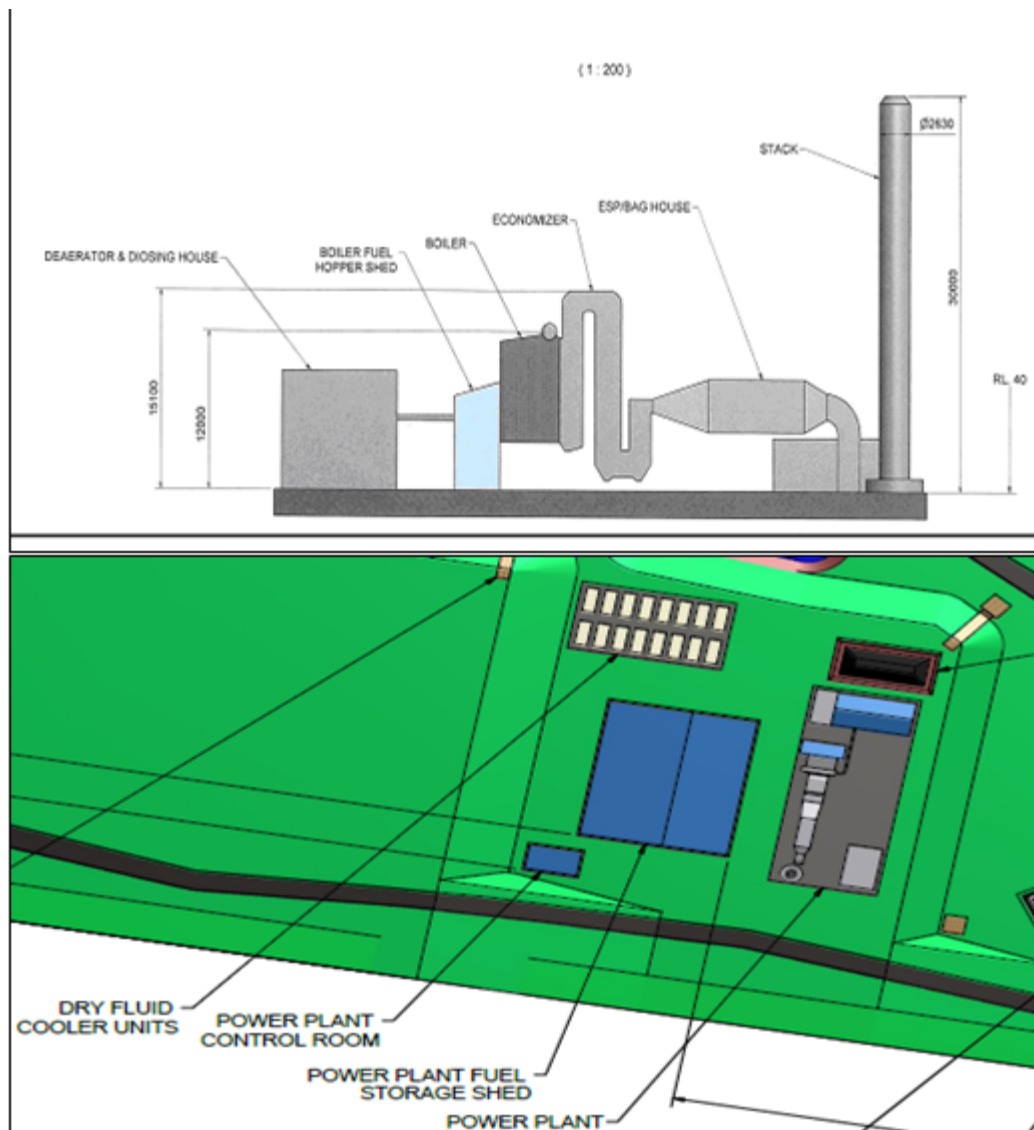


Figure 3 – Combined Site Layout/Elevation: Cogeneration Plant

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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As shown above on figure 3, the power generation plant infrastructure will contain the following components:

- Steam turbine, condenser and generator set;
- Boiler;
- Rotary kiln system;
- Auxiliary electrical equipment;
- Cooling tower;
- Chemical treatment plant; and
- Fuel handling and ash handling plant.

The overall power plant footprint is 57 metres wide x 25 metres deep (including associated plant i.e. boiler, kiln etc).

The ventilation stack/chimney is proposed to be 30 metres high, whilst the associated plant (economizer) provides for an overall height of 15.1 metres.

The proposed fuel storage shed is 34 metres in width and 39 metres in depth with an overall height of 8 metres.

Vehicle Access/Carparking

Vehicle access to the site will be via Stanmore Road (classified as a 'Haulage Route') and onto Sandy Creek Road.

Council's City Transport Branch are satisfied that the internal movement paths and hardstand/manoeuvring areas are adequate to provide for ingress and egress of heavy vehicles.

Council's City Transport Branch recommend upgrades to Sandy Creek Road, along the full frontage of the site, to a Industrial Collector Street road classification in accordance with Planning Scheme Policy 11 – Land Development Guidelines.

Further, Council's City Transport Branch have determined that the applicant is to provide off-street car parking at the rate of one (1) space per employee/staff, plus the two (2) additional off-street car parking spaces for visitors. This equates to forty-two (42) off-street car parking spaces. It is considered by Council's City Transport Branch that this provision will adequately cater for peak demand generated for off-street car parking during shift changes. The Applicant will be required to submit amended plans/drawings identifying the provision of forty-two (42) off-street car parking spaces.

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Staff/Operating Hours

The development will employ 40 staff (currently 30).

The Applicant proposes to operate only the cogeneration plant 24 hours a day, 7 days per week and a front end loader for loading of green waste (biomass).

The condition contained within the attached Officer Recommendation (condition 7) reads as follows:

AMENITY

Hours of operation

- a The only Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) activities permitted to operate 24 hours seven (7) days a week are the cogeneration plant and one (1) front end loader required to load the green waste (biomass).
- b Truck movements associated with Bulk Garden Supplies and Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) to be conducted only between the hours of 6 am to 6 pm 7 days a week.
- c All activities associated with the Bulk Garden Supplies and Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) to be conducted only between the hours of 6 am to 6 pm 7 days a week.

Comments in relation to the suitability of the hours of operation is provided later within this report.

Environmental Covenant Area & Vegetation Buffers

Council's Environmental Planning Branch confirm a significant 12.3.1 wetland community and associated vegetation is located within the northeast corner of the site. This vegetation located in the north eastern corner of the site is proposed to be protected by the registration of an environmental covenant area, which will be subject to rehabilitation works.

The retention of the wetland vegetation provides for a minimum buffer to the wetland of seventy (70) metres. The area of retained vegetation between the eastern property boundary and in the internal circulation road widens up to approximately 130 metres in width.

The layout proposed by the Applicant also includes a twenty (20) metre wide buffer along the northern boundary adjoining a state reserve (Yatala Archery Range).

A 10 metre vegetation buffer is proposed along the western and southern boundaries perimeter of the site and returns along the eastern property boundary extending northwards ending at the existing vehicle crossover. Further discussion regarding the adequacy of these proposed vegetation buffers is provided later within this report.

ITEM 1 (Continued)
MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1 PN131872/13/DA2

Environmentally Relevant Activities (ERA's)

An account of the proposed inputs and the location of the various industrial processes under the relevant ERA heading is provided below.

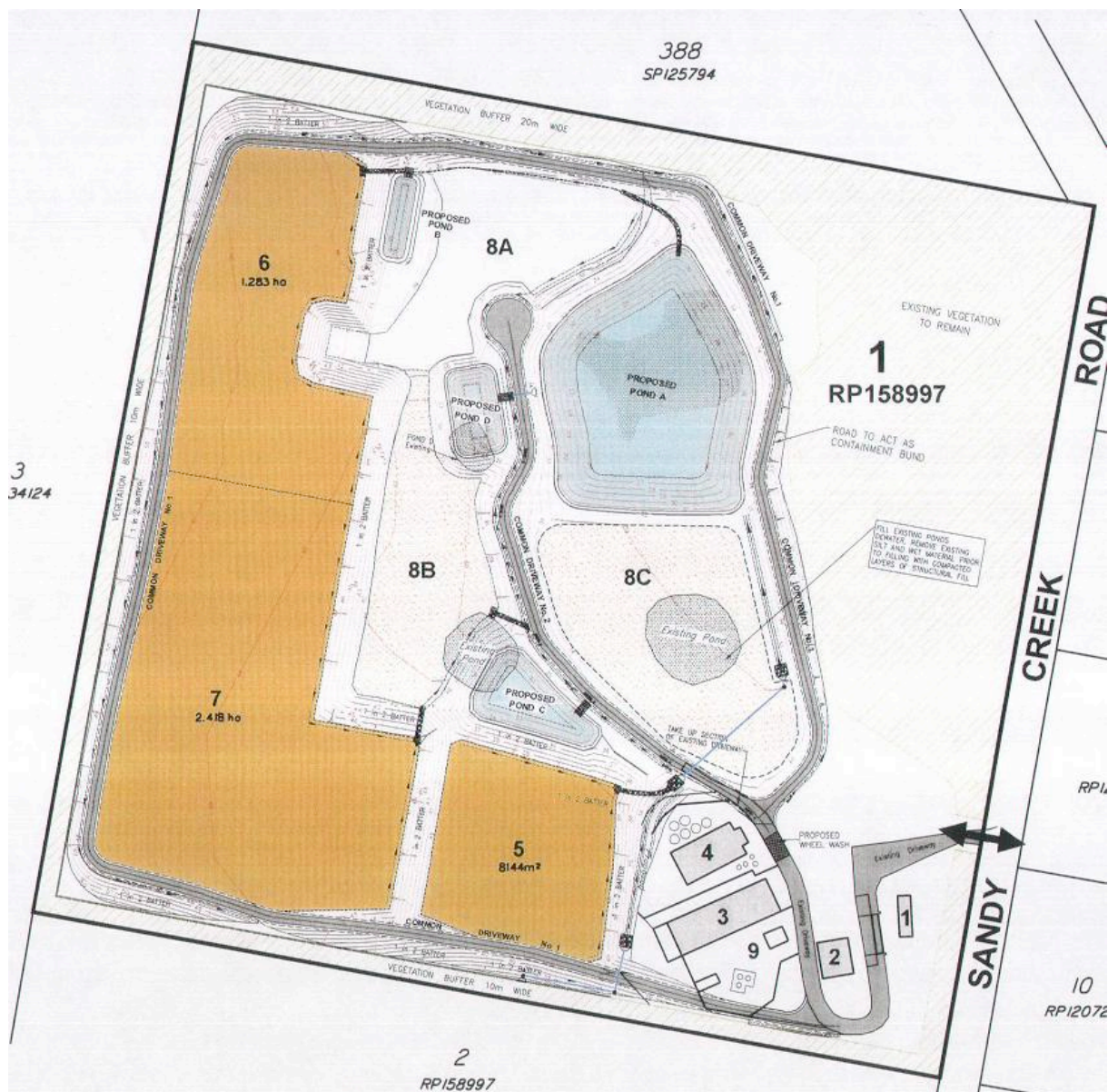


Figure 4: Proposal Plan/Site Layout

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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ERA 8 – Chemical Storage

This ERA covers the storage of oil and fuels.

ERA 14 (2) (a) - Electricity Generation

This ERA covers the burning of green waste and shredded timber.

ERA 33 - Crushing, Milling, Grinding or Screening

This ERA covers the intermittent crushing of concrete and shredding timber obtained from construction/demolition waste (C& D) and commercial/industrial waste (C&I). Of note, this activity is also considered under ERA62 as outlined below.

This ERA is also intended to cover approval for the receipt and processing of green waste, which is proposed subject to grinding and screening. This ERA processing will result in the production of three streams waste. Two streams will be used for the production of compost and mulch, whilst the larger green waste items will be used as fuel for the cogeneration/ biomass power plant. The range of green waste materials, which will be used to fuel the Biomass co-generation plant include:

- Non native hard and softwood shavings;
- Green waste which is not suitable for composting (i.e. oversized);
- The organic fraction from construction and demolition waste;

Pad 5 as shown on the figure 4 above provides for a 10m x 200m pad which is allocated for the crushing, screening, grinding and milling of green waste.

Pad 6 as shown on the figure 4 above, is allocated for the crushing and screening of construction and demolition waste.

ERA 53 – Composting & Soil Conditioner Manufacturing

This ERA covers the receiving, blending and composting of organic waste streams (green waste). Existing pad areas 8A, 8B and 8C, as shown on the figure 4 above, are allocated for **both Composting and the manufacturing of soil conditioner agents.**

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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ERA 55 - Regulated Waste Recycling or Reprocessing

ERA 55 covers the activity of blending class 3 flammables and class 6 – toxic and infectious substances. Such inputs are intended to be processed to create ‘fuel blends’ for use at offsite facilities or sent to an offsite oil recycler. The Applicant states that the type of regulated wastes to be accepted includes: hydrocarbons, solvents, pesticides, inks, dyes, waste oil and oil water.

- Expansion of treatment of waste oil

The proposal will involve an increase in the amount of oil and water emulsions which are currently transferred to a designated area and treated using waste heat to thermally evaporate the water, which is collected and condensed from clean water vapour.

The Applicant states that the water reclaimed from the above processing will be treated and used onsite in the cooling tower or used in the compost manufacturing activities. The recovered oil is sent offsite to an oil recycler.

This ERA also covers the fixation of heavy metal contaminated soils and hydrocarbon sludge that may not be amenable to bio remediation. The Applicant states that the primary focus of the fixation process is to ensure that leachable contaminants pertaining to heavy metals and hydrocarbon meet waste disposal acceptance limits.

ERA 56 - Regulated Waste Storage

This ERA covers the storage of the various liquid and solid regulated wastes that will be received at the facility for processing, recycling or consolidation.

The categories/classes of wastes proposed to be accepted on site for the purpose of regulated waste storage and consolidation are as follows:

Class 3 – Flammable Liquids;

Class 6.1 – Toxic Substances;

Class 6.2 – Infectious Substances; and

Class 8 – Corrosive Substances.

Regulated waste storage at the AWTF also encompasses the storage of oily water for the purpose of treatment. Treated waste oil will be stored for the purpose of on sending to a facility that is approved for further processing and or reuse.

The Applicant states that the treated water can either used in the composting process or within the power station boilers if the water is of a sufficient quality.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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This ERA may also cover the treatment of oily water, to allow the water which has been generated from the oily water to be sold. Waste heat from the oily water treatment process (post-generation) will be used for heating to accelerate the existing composting processes; and to evaporate liquid for treatment into Class A treated water from the oil and water treatment plant.

The Applicant states that the proposal involves reprocessing, recycling or treating of regulated wastes and incorporated with other stabilising inputs such that these regulated wastes are rendered stable and suitable for further energy recovery.

ERA 58 - Regulated Waste Treatment

This ERA covers the regulated waste treatment process which is the mixing of reagents with contaminated soil or sludges employing best practice environmental methods to transform the wastes into safely disposable matrices.

Soils contaminated with hydrocarbons and or heavy metals will be treated in a designated treatment pit located within a shed proposed to be located east of pad 5 (notated as building 4 on figure 4 above).

ERA 62 - Waste Transfer Station Operation

This ERA covers the receiving and sorting of construction/demolition waste (C& D) and commercial/industrial waste (C&I). The sorting and segregation of construction and demolition waste is proposed to occur on a 200m x 100m pad area, which is identified as pad 6 on figure 4 above.

The proposal includes the receiving and sorting of construction/demolition waste (C& D) and commercial/industrial waste (C&I) into the respective streams being timber concrete, metal dirt, gyprock and plastics. It is proposed by the Applicant that the concrete be crushed onsite and used in the formation of the internal roadways and hardstand pads. It is also proposed that any surplus crushed concrete when accumulated will be on sold.

It is proposed that the metal waste be sent to a metal recycler.

The untreated timber taken from the received waste will be subject to crushing and screening will be used as biomass (fuel).

Separation of waste streams and onsite operational processes

The Environmental Management Plan prepared by LZ Environmental Company, as submitted by the Applicant, proposes a colour coding system for the respective ERA's proposed to occur across the site. The proposed colour coding system will be implemented by gate staff to direct vehicle movements within the site. It is proposed that vehicles will only be able to access the specific parts of the facility which cater for the receiving, sorting, storage and processing of that particular waste stream.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Waste Collection and Sorting

Materials will be separated from the streams, and assigned to treatment / combustion as appropriate. Non-combustible items (plastics, metals etc) which may be contaminating the stream (up to a certain concentration) will be removed and directed back to conventional disposal methods (landfill, recycling etc).

SITE & ENVIRONMENT

Characteristics of Site

The subject site is located at 126 Sandy Creek Road, Yatala. The subject site is properly described as Lot 1 on RP158997.

The subject site is rectangular in shape and has a total area of 20.35 hectares with a frontage of approximately 440 metres. The site is located on the western side of Sandy Creek Road.

The general topographical variance across the site provides for a fall from the west (approximately 54m) to the east (approximately 33m).

There are four dams located on the subject site all varying in size.

Parts of the site are heavily timbered, with large cleared areas located in the centre of the site that are currently being used for the existing approved Medium Industry (Manufacture of Soil Conditioning Agent) and Bulk Garden Supplies, as shown below on figure 5.



Figure 5: Aerial of the subject site

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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There are currently four buildings located on the site located towards the south eastern corner of the property. The buildings are currently used for administration, equipment and product storage, workshop and waste oil separation equipment purposes.

Surrounding Environment

Under the current Yatala Enterprise Area Local Area Plan designation all adjoining sites including those on the opposite side of Sandy Creek Road (east) are located within Precinct 4: 'Future Business and Industry' of the Yatala Enterprise Local Area Plan.

Further east of Sandy Creek Road are several properties located within the Precinct 2: Low Impact Business and Industry.

Linear portions of the Open Space Precinct are located beyond these precinct 2 and 4 areas to the east and west, which define the transitional area to the residential areas of Yatala and Ormeau.

The site directly adjoining to the south has been developed for industrial purposes.

The Gold Coast City Council are registered as trustee for the site directly adjoining to the north (Open Space). This land is currently used for the Yatala Archery Range.

The site directly adjoining to the west is vacant land, which is envisaged to be developed in the future for industrial purposes.

With the ultimate precinct outcomes of Yatala Enterprise LAP the land parcels west of the subject site bound by Peachy Road to the south and Stanmore Road to the west will be located within Precinct 2: Low Impact Business and Industry.

The properties directly adjoining the subject site (99, 109, 113 and 135 Sandy Creek Road) on the opposite side of Sandy Creek Road provide for a mixture of residential and non residential (industrial) land uses. In this regard, it is evident that 99 Sandy Creek Road has been developed solely for industrial purposes, whilst 109, 113 and 135 Sandy Creek Road still contain residential dwellings.

Discussion regarding the determination of the ongoing residential activity within each of these properties and the subsequent residential interface for this proposal is outlined in detail later within this report.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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DEVELOPMENT ASSESSMENT

Section 3.5.5 of the Integrated Planning Act 1997 identifies what an assessment manager must consider when assessing an impact assessable application. In brief, the assessment manager must assess the part of the application against each of the following matters or things to the extent relevant:

• the State planning regulatory provisions	Not Applicable
• the regional plan for a designated region	The proposal is considered to comply with the Regional Plan
• State planning policies (unless appropriately reflected in any relevant regional plan or planning scheme)	N/A
• a structure plan	N/A
• for development in a declared master planned area—all master plans for the area	N/A
• a temporary local planning instrument	TLPI applied to the infrastructure charges
• an earlier preliminary approval to which section 242 applies	N/A
• a planning scheme	Refer below
• the priority infrastructure plan	Refer below

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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In addition, the assessment manager must assess the part of the application having regard to:

<ul style="list-style-type: none"> the common material 	<p>Common material has been regarded through the assessment</p> <p>Submissions are discussed below</p>
<ul style="list-style-type: none"> any development approval for, and any lawful use of, premises the subject of the application or adjacent premises 	<p>Refer to 'Site and Surrounding Area'</p>
<ul style="list-style-type: none"> any referral agency's response for the application 	<p>Refer to External referrals section</p>

Planning Scheme assessment

Place Code	Constraint Code	Specific Development Code
Yatala Enterprise Area LAP	Car Parking, Access and Transport Code Sediment and Erosion Control Natural Wetland Areas and Natural Waterways Nature Conservation Bushfire Management Areas Unsewered Land	Changes to Ground Level and Creation of New Waterbodies

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Relationship to the Yatala Enterprise Area LAP

The subject site is located in the Precinct 4: Future Business and Industry Precinct of the Yatala Enterprise Area Local Area Plan. Pursuant to the Planning Scheme, the proposed land uses are defined as 'Industry' and 'Bulk Garden Supplies' in accordance with Part 4 of the Planning Scheme.

Pursuant to table of development A: Material Change of Use 'Bulk Garden Supplies', trigger Code Assessment, whilst 'Industry' triggers Impact Assessment.

Of note, and as discussed at the prelodgement meeting with Council, the land use definition has been further defined to include 'Advanced Waste Transfer Facility/Biomass Power Generation Plant' to further identify the onsite processes associated with the proposal.

Pursuant to table of development C: Operational Work – Changes to Ground Level the proposed Operational Works (Change to Ground Level) triggers Code Assessment.

The proposed land uses are defined as follows:

Industry

Any premises used or intended for use that, in the course of any trade or business, involves the manufacture, production, processing, repair, or storage of any article, material or thing whether solid,

liquid or gaseous.

This term includes any of the following ancillary activities, when carried out on the same land as the

primary activity:

- the storage of goods;
- the provision of amenities for employees and clientele;
- selling by wholesale goods resulting from the operation; and
- accounting or administration in connection with the operation, provided that this activity does not exceed 20% of the total use area.

This term includes a Car Wash Facility. It does not include a Service Industry, a Motor Vehicle Repair Station, a Salvage Yard, a Service Station, Home Activity or Home Occupation

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**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Bulk Garden Supplies

Any premises used or intended for use for the sale or distribution of sand, soil, screenings, rocks, railway sleepers and other garden and landscaping materials. This term does not include Agriculture, Extractive Industry, Retail Nursery or Rural Industry.

The overall intent statement for the Yatala Enterprise Area Local Area Plan reads:

The purpose of this Local Area Plan (LAP) is to provide for the detailed planning and development of the Yatala Enterprise Area (YEA). The YEA is a highly valuable resource for the City. There is an opportunity to create a dedicated area that could be a market leader in terms of innovative industrial development that would facilitate growth in long term employment in the 21st century. Therefore, the purpose of this LAP is to promote the orderly economic development of the YEA as a major industrial employment district for both the Gold Coast City and the South East Queensland region. The LAP provides locational and assessment criteria for the establishment of industrial activities in the defined Yatala/Stapylton area.

Precinct 4

The intent statement for Precinct 4: Future Business and Industry Precinct of the Yatala Enterprise Area Local Area Plan reads:

Ultimately, the Future Business and Industry Precinct is intended to be developed for industry purposes as an extension of the development that is contemplated for Precincts 1 and 2. Such development is not envisaged in the short term, due to the lack of adequate infrastructure. The only forms of development that are intended to be permitted in the meantime are those that will neither compromise the capacity of these areas to develop intensively for industry in the future nor compromise the development of other parts of the plan area for intended purposes.

This purpose does not preclude out of sequence business and industry development where the proponent is prepared to pay the full cost to offset the impact of out of sequence development, as determined by Council. This out of sequence development will be assessed by the criteria applicable for either Precincts 1 or 2, as determined by the ultimate development scenario illustrated by Yatala Enterprise Area LAP Map 29.4 – Ultimate Precincts.

The Future Business and Industry Precinct to the east of the Pacific Motorway is expected to become General Impact Business and Industry. The area to the west of the Pacific Motorway, west of Stanmore and Sandy Creek Roads, will be appropriate for a mixture of General and Low Impact Business and Industry, depending on its proximity to residential areas.

Development that proposes to reconfigure allotments is not considered appropriate for the precinct, unless all allotments created have a minimum area of 20 hectares. This will facilitate future development of the area for major industrial development.

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**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Applicant's Representations

It is considered that the proposal is in accordance with the intent of this Precinct. Despite the lack of adequate infrastructure (i.e. sewer and water), the development proposal does not require the connection to sewer or water and will therefore not compromise the capacity of the area to be developed intensively for industry at a later date. The proposed land uses, Bulk Garden Supplies, and Industry, are listed as Code and Impact Assessment respectively within Precinct 4 and are therefore considered to be uses which are suitable, provided such does not result in any adverse impacts on the surrounding environment.

It is also relevant to note that the proposal represents an expansion of an existing approved use and as such Council has already acknowledged the suitability of the site to accommodate a use of the type proposed....

Officer's comments

It is considered that the industrial proposal will accord with the intent of Precinct 4 on the following basis:

Precinct 4

As outlined earlier within this report, the subject site is currently situated within Precinct 4 and will ultimately become part of Precinct 1: 'General Impact Business and Industry' of the Yatala Enterprise Area Local Area Plan.

Precinct 4 intent identifies that the only forms of development that are intended to be permitted, prior to the ultimate precinct designation change/s, are those uses that will neither compromise the capacity of Precinct 1 to develop intensively for industry in the future, nor compromise the development of other parts of the plan area for intended purposes. The precinct intent clearly identifies that the purpose of Precinct 4 does not preclude out of sequence business and industry development where the proponent is prepared to pay the full cost to offset the impact of out of sequence development, as determined by Council (infrastructure provision).

Given the above, key consideration for the Assessing Officer is whether the development will compromise the industrial planning outcomes envisaged for the ultimate precinct, being Precinct 1 and whether the Applicant can provide and fund all the required infrastructure to support this development.

In this regard, the relevant Council Officers have recommended several conditions of approval for infrastructure provision. An account of these infrastructure requirements is outlined below.

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**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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City Transport

Heavy vehicle movements to the site west of the Pacific Motorway occur via Stanmore Road, which is designated as a Haulage Route and then onto Sandy Creek Road.

Council's City Transport Branch advise that Sandy Creek Road is currently a 6.6 metre wide sub-standard pavement with a dividing line and no edge lines. Further, they identify that Sandy Creek Road is identified as a Arterial Road – Major Industrial Road (existing) in the Yatala Enterprise Area LAP Map 29.5 – Transport Infrastructure.

As such, Council's City Transport Branch recommend upgrade to Sandy Creek Road along the full frontage of the site, to a Industrial Collector Street road classification in accordance with Planning Scheme Policy 11 – Land Development Guidelines.

The Department of Main Roads and Transport (DTMR) undertook a review of the proposal as a Concurrence Agency and advised they have no objections to the proposal and do not require any upgrades to the surrounding state controlled road network.

Accordingly, it is considered that with the site frontage upgrade the Applicant will contribute to the formation of the required industrial road, which provides the transition form the designated haulage route to the motorway. On this basis, it is considered that this infrastructure provision is reasonably associated with this proposal and the development will not compromise the Precinct 1 area to be developed intensively for Industry in the future.

Gold Coast Water

Gold Coast Water require connection to Council's potable water supply prior to commencement of use and connection to Council's sewerage system within six (6) months of it becoming available to this area. Further, the conditions of approval require a cross connection until the recycled water reticulation becomes available.

Subject to the implementation of this supporting infrastructure, it is considered this development proposal will not compromise the Precinct 1 area to develop intensively for industry in the future.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Precinct 1

The intent statement for Precinct 1: General Impact Business and Industry Precinct of the Yatala Enterprise Area Local Area Plan reads:

The General Impact Business and Industry Precinct is intended to accommodate a broad range of manufacturing industries, warehouses and distribution centres of a general industrial nature that will result in significant growth in long term employment for the residents of the Gold Coast City and of the greater South East Queensland area.

Preferred activities will typically focus on the production, manufacture, construction or distribution of goods. Industries traditionally considered to be heavy may be suitable for this precinct, provided innovative technologies are employed to neutralise any potential detrimental impacts and provided the establishment of such uses does not have a detrimental impact on the ability of the precinct to attract preferred uses. Preferred activities will typically generate high levels of long term employment. Overall, this precinct is well separated from existing and intended residential areas. The precinct provides the opportunity for the location of industries within the core areas which are of state and regional economic significance, particularly those which require a separation from residential and other sensitive uses. Physical features, road, drainage and open space corridors, and in part the Low Impact Business and Industry Precinct – Precinct 2 act to provide buffers to those industrial processes which are by their nature potentially hazardous or offensive or require large scale buildings and operations.

Whilst a relatively low level of restriction is intended to apply to development in these areas, site development will minimise external impacts within the threshold limits for safety and environmental protection established by the relevant state legislation and regulations. Developments are encouraged to employ best practice methods and innovative technologies that exceed the minimum standards and encourage market/industry leadership. No particular built form is envisaged. However, buildings will be purpose built to mitigate noise, odour and waste emission with use of landscaping, setbacks and building separation to provide reasonable landscape amenity, without compromising industrial production or processes. The physical appearance of the precinct is important to the marketing of this area for preferred uses that may consider locating in the YEA. Minor architectural details to improve the visual appearance of buildings, such as articulation of exterior walls, varied exterior colours and building materials, are considered appropriate and achievable without compromising industrial processes or economic viability.

The regional significance of the core area of this precinct needs to be protected. It will contain industries and processes operating at established environmental and safety thresholds that may have off-site impacts. Uses that could be sensitive to these impacts should not be located within this precinct. For these reasons, uses that are inconsistent with the purpose of this precinct, and that can be reasonably located elsewhere within smaller industrial and business estates or within the Low Impact Business and Industry Precinct, will not be encouraged.....

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Applicant's Representations

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The ultimate precincts map nominates the site as being included in the Precinct 1 – General Impact Business and Industry. It is considered that the above statements expressed in the planning scheme outline a clear intent that the area be developed for industry, provided there are no adverse impacts on the surrounding environment and in particular, consideration will be afforded to the proximity of residential development. It should be noted that the nearest residential dwelling is located opposite the subject site along Sandy Creek. However, as noted on Figure 4, this land use is also included within the Future Business and Industry Precinct of the Yatala LAP and that existing industry is currently in operation to the south of these dwellings. Furthermore, it is also noted that there are currently a number of industrial activities already in operation in the vicinity of the subject site, including a concrete batching plant (with an application currently before Council to extend this facility) located to the south of the site.

Furthermore, it should be noted that the site currently has approval for Industry – manufacturing soil conditioning agents (approved by Council in April 1998) and a number of sites surrounding the subject site are also currently undertaking industrial activities.

Additionally, the waste heat/steam (post cogeneration) may provide a useful and efficient energy source for any future industrial development in the area, and the waste water/chemical collection and treatment an important resource and convenience for future industrial development. The sustainability of any future industrial works at the site is promoted through advancement of this 'closed system' potential.

In regard to amenity impacts please be advised that the extensive documentation prepared in respect of the various ERA's attached details the various management practises to be provided to ensure no significant or undue amenity impacts area caused to nearby or adjoining owners.

In addition, it is highly relevant and indeed important for the City and regional wide environmental benefit that this development is providing to be recognised. The development represents the first of its kind in Australia and provides an important contribution to the management of climate change and achievement of environmental sustainable development outcomes which in turn forms an integral component of the Planning Scheme and Desired Environmental Outcomes (DEO's) and Planning Strategies.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Officer Comments

As outlined within the above intent statement, the overarching intent for Precinct 1 is to accommodate industries within the core areas, which are of state and regional economic significance, particularly those which require a separation from residential and other sensitive uses. Further, physical features, road, drainage and open space corridors, and in part the Low Impact Business and Industry Precinct – Precinct 2 are intended to provide for the buffering of those industrial processes, which are by their nature potentially hazardous or offensive or require large scale buildings and operations.

In summary, it is evident that the LAP intent encourages the use of Precinct 1 land for large scale industrial development, which is considered to be of 'state and regional significance where optimal buffering and separation is provided. In addition, the LAP seeks a development form, which mitigates industrial amenity impacts in conjunction with the provision of landscape buffering and building separation'.

A review of this proposal with respect to these key planning and design objectives underlined above is provided below.

- **State and Regional significance**

The proposed industrial development is considered to be of state and regional economic significance in so far as it has the potential to reduce the extent of green waste placed into landfill locations across the Gold Coast City. The re-direction of green waste to be used as the biomass to support this facility is shown to be supportive of several Waste Management Planning Objectives identified in Part 3, Planning Strategies, Division 2, Key Strategies, Chapter 12: Waste Management, which read as follows:

Waste Management Policy 1:

Eliminating or reducing the production of wastes.

Planning Objectives to Support WM Policy 1:

to support innovations in land use and development activities that are designed to reduce the production of wastes.

Waste Management Policy 2

Encouraging the reuse and recycling of waste materials.

Explanation

Waste material can present opportunities for productive reuse and recycling. This has the advantages of minimising the storage and disposal of waste materials, decreasing the demand on new resources and also encouraging the development of new economic activities.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Planning Objectives to Support WM Policy 1:

to encourage industrial and commercial developments to undertake waste minimisation and recycling.

- Optimal buffering and separation and/ or mitigates industrial amenity impacts
From a locational perspective, the subject site is located within the core of the future Precinct 1: 'General Impact Business and Industry' area located west of the Motorway. Precinct 1 will be flanked to the east and west by Precinct 2: Low Impact Business and Industry to act as a buffer for more intense industrial activity whilst the Open Space precinct provides the interface with the nearby residential designations. With the exception of the residential development directly opposite the subject site along Sandy Creek Road, the site provides the opportunity for the location of a Industry use separated between 500 metres to 1.3 kilometres from residential development.
- Provision of landscape buffering and building separation
Overall, the development layout locates the biomass power plant (cogeneration plant) and associated infrastructure closest to the southern property boundary with considerable separation from the Sandy Creek Road frontage. The proposed plant infrastructure and buildings are located a minimum distance of 50 metres from the Sandy Creek Road frontage, whilst the cogeneration plant and associated buildings are located approximately 200 metres from the road frontage. An account of the various vegetated buffers for the respective boundaries are outlined below.
 - Southern property boundary
The proposed development layout provides for a ten (10) metre wide landscape buffer to screen the established and proposed industrial buildings/structures from both the southern and eastern property boundary.
 - Western property boundary
The proposed development layout provides for a ten (10) metre wide landscape buffer along the western property boundary providing separation between proposed platforms 6 & 7 and the western property boundary. The site to the west is currently vacant land parcel and is intended to be ultimately situated within the Low Impact Business and Industry Precinct (2) and to a lesser extent the Open Space Precinct (3) of the Yatala LAP.
 - Northern property boundary
The development layout provides for a twenty (20) metre wide landscape buffer along the northern property boundary to separate existing platform 8a (composting) from the recreation reserve land parcel owned by the State of Queensland.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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- Eastern property boundary

The development layout provides for a internal driveway linking heavy vehicles to the various elevated platforms and operational components of the facility. This road is setback a considerable distance from the Sandy Creek Road frontage of the site, which ranges between approximately 80 metres and 150 metres. The existing vegetation between this proposed internal driveway and the Sandy Creek Road frontage is to be retained as part of the proposal.

Given the proposed buildings and infrastructure are primarily located within the south eastern corner of the site directly opposite existing residential dwellings, (109, 113 and 135 Sandy Creek Road) it is considered appropriate that the proposed 10 metre wide vegetation buffer along the eastern property boundary south of the internal driveway be widened up to 20 metres. Such an outcome is considered reasonable and in accordance with Acceptable Solution AS23.1.2 (Landscape Design) of the Yatala Enterprise Area Local Plan Place Code.

In summary, it is considered that subject to a revised frontage vegetated buffer, the layout will provide sufficient separation and landscape buffering to ensure landscape amenity for the adjoining and surrounding properties in a manner consistent with the objectives of the Yatala Enterprise Area Local Plan.

In addition to providing locational and design layout criteria, the intent of Precinct 1 requires an Applicant to 'minimise external impacts within the threshold limits for safety and environmental protection established by the relevant state legislation and regulations'.

In terms of minimising external impacts within the threshold limits for safety and environmental protection DEHP have provided their Concurrence Agency response relating to the various ERA's. To reiterate earlier comments in this report, it is noted that these conditions of approval provided by DEHP represent the regulatory framework and essentially the site based management plan/s (SBMP) to be complied with to ensure all potential environmental impacts associated with the Environmentally Relevant Activities are mitigated.

On this basis, it is considered that this industrial proposal is consistent with the intent and key objectives of the ultimate Precinct (1) of the Yatala Enterprise Area Local Plan, whilst DEHP have imposed conditions of approval to minimise any potential external environmental impacts.

Therefore, the Officer's Recommendation is for approval subject to reasonable and relevant conditions.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Compliance with the Yatala Enterprise Local Plan Place Code

The proposal complies with all of the Place Code’s Acceptable Solutions and Performance Criteria, except as follows:

PC7 - Building Height

Performance Criteria	Acceptable Solution
<p>PC7</p> <p>The height of buildings is to be consistent with the role of the YEA as a predominantly industrial use area. Buildings are to be constructed to a height that complements the surrounding built form and the local landscape character.</p>	<p>AS7</p> <p>The maximum height of buildings does not exceed three storeys.</p>

The Applicant proposes an Alternative Solution in response to the Performance Solution, where the proposed structures associated with the Cogeneration plant (biomass power plant) exceed three (3) storeys in height.

These structures are as follows:

- chimney/stack - thirty (30) metres in height;
- cogeneration plant structure (economiser) – 15.1 metres in height (upon proposed pad 5); and

Applicant Representations

Whilst not a building as such, the power station will contain a chimney with a height of approximately 30 metres in height. Similarly the power station will be positioned within the site with the majority of it screened from view.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Officer Comments

Upon review of the development layout and the site context it is noted that the respective buildings proposed do not exceed a building height of three (3) storeys. In this regard, the building height does not exceed 8.0 metres, whilst the proposed storage vessels associated with the regulated waste treatment area are 9.4 metres in height.

Whilst not 'buildings', it is considered that the proposed structures outlined above are acceptable on the following basis:

- The 'economiser' being one component of the overall cogeneration plant provides an overall height of 15.1 metres in height. This component of the plant is setback in excess of 70 metres from the southern boundary and approximately 200 metres from the Sandy Creek Road frontage. In this context, it is considered the cogeneration plant will be screened by the respective vegetation buffers along the southern and eastern property boundaries. In this regard, a ten (10) metre vegetation buffer is proposed along the full length of the southern boundary, whilst the Officer Recommendation includes conditions of approval for a revised vegetation buffer along the eastern property boundary of 20 metres in width. It is considered that read in conjunction with these vegetation buffers, this component of the plant infrastructure will not compromise the existing visual amenity and local character of this industrial area;

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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- It is considered the height of the proposed chimney/stack meets with the intent of the Performance Criteria on the following basis:
 - The proposed stack/chimney will be well separated from the site frontage and will provide an acceptable visual appearance where viewed from the immediately surrounding properties and by motorists travelling along Sandy Creek Road. Based on the development layout the chimney/stack is proposed to be setback forty five (45) metres from the southern boundary and setback approximately 200 metres from the eastern property boundary (Sandy Creek Road frontage). Such a setback outcome is in accordance with Acceptable Solution AS4.2 of the YEALAP buildings within Precinct 4. In this regard, buildings eight metres or more in height, are required to be setback a minimum of 15 metres.
 - The proposed chimney/stack has a diameter of 2.63 metres. It is considered that this structure will present minimal bulk and will not result in a visual outcome inconsistent with the role of the YEALAP as an industrial use area.
 - Council's Environmental Planning Branch have recommended conditions for retention and protection of the vegetation communities surrounding the wetland located within the north east corner of the subject site. This branch have recommended this vegetation area be protected by the registration of an environmental covenant area and also be subject to rehabilitation planting. As shown on figure 4, as provided earlier within this report, this covenant area (existing vegetation area), which is north and east of the internal driveway represents a considerable portion of the overall site. This environmental covenant area will provide for a vegetated buffer a minimum of 70 metres in width for over half of the site frontage. The long term protection of the vegetation within this area will provide for natural vegetation screening along the majority of the site frontage to obscure the appearance of the plant infrastructure.
 - The covenant area provides for a considerable vegetation buffer along the site frontage. Overall, it is considered the development layout provides an acceptable response in consideration of structure height and visual amenity. However, it is noted that the proposed vegetation buffer on the southern side of the internal driveway narrows to a width of ten (10) metres. This portion of the site will contain the majority of the proposed buildings and infrastructure. Therefore, in consideration of PC7 (and PC23 of the YEALAP), to ensure adequate screening of structures above three (3) storeys, conditions of approval (conditions of approval 34 and 35) are contained within the attached Officer Recommendation for a revised site layout plan. These conditions of approval require a revised vegetation buffer along the site frontage of 20 metres in width and the provision of additional planting to provide additional vegetation for screening.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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With consideration of the elevated ground pad proposed for the siting of the power plant footprint (finished level for pad 5 is RL40.00m), it is considered that the proposed height of the stack and economiser structure will not compromise the existing visual amenity or landscape character of this industrial area.

On this basis, it is considered the Alternative Solution meets with the intent of the Performance Criteria.

Therefore, the Officer's Recommendation is for approval subject to reasonable and relevant conditions.

Compliance with the Relevant Constraint Codes and Overlay Maps

The subject site has been identified on the following Overlay Maps in the Planning Scheme:

- Overlay Map OM10 – Potential Bush Fire Hazard
- Overlay Map OM11 – Natural Wetland and Waterways
- Overlay Map OM16 – Unstable Soils
- Overlay Map OM20 – Conservation Strategy Plan

It is noted that the subject development application went through Council's DART process. All internal referrals have undertaken a review of the Industry proposal and where required they have recommended conditions of approval.

Compliance with the Relevant Specific Development Code

The proposal is for Industry (Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) and Bulk Garden Supplies. The Planning Scheme does not provide a Specific Development Code for these land uses.

Desired Environmental Outcomes and/or Land Use Themes

Desired Environmental Outcomes (DEO's) provide the primary focus or direction for the entire Planning Scheme. They provide a fundamental context for Planning Strategies, Land Use Themes and subsequently for the development assessment codes and other measures contained in the Planning Scheme.

An assessment against the relevant Planning Scheme's DEO's, within the category of both Community Wellbeing and Economic followed by Officer Comments is outlined below.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Community Well-Being

DEO Soc.5:

The maintenance of residential amenity, through the minimisation of any environmental harm or adverse social impacts occurring from the construction and operation of commercial, community, tourism, industrial and extractive industry activities.

Planning Objectives to Support DEO Soc.5:

- Soc.5.1 to ensure that land uses that have the potential to conflict with residential amenity are adequately separated and/or buffered from residential areas.
- Soc.5.2 to ensure that the design and layout of development minimises any potential for activities to adversely impact upon the amenity of nearby residential premises.
- Soc.5.3 to control, where possible, the nature of construction activity and the ongoing operational aspects of development to levels that are appropriate for a reasonable standard of amenity in nearby residential premises.

Officer Comments

With respect to the above planning objectives, it is noted that residential development within the residential designations of the Planning Scheme are located between 500 metres to 1.3 kilometres away from the subject site. In this regard, the residential area of Yatala is located 500 metres to the west, whilst the Ormeau residential community is located 1.3 kilometres to the east. Whilst the planning scheme does not identify any specific separation between residential and industrial development, it is evident that the spatial arrangement of precincts for the ultimate Yatala Enterprise Area LAP (Map 29.4 – Ultimate Precincts) for the western side of the motorway encourages an overall decrease in scale and intensity of industrial development from the core to the periphery.

In this regard, it is noted that the subject site is located within the core area of the future Precinct 1: General Impact Business and Industry area on the western side of the motorway. The immediate precinct transition to the east and west of this core area is from Precinct 1 to 2: Low Impact Business and Industry, whilst Precinct 3: Open Space provides for the immediate interface with the residential areas of the Yatala and Ormeau residential areas.

On this basis, it is considered that in terms of separation of industrial development from planned residential areas, the subject site is optimal.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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With respect to the management of any potential environmental impacts associated with this proposal, it is noted that DEHP are a Concurrence Agency for this proposal. Based upon the referral triggers within the Integrated Planning Regulation 1997, DEHP are responsible for assessment of the respective ERA's associated with this Industry proposal. They have the jurisdiction for providing conditions of approval, which effectively form the environmental management plan for the proposal (attenuation of noise, air quality standards, dust suppression etc). They have provided their conditions of approval.

Therefore, it is considered that collectively, the required assessment undertaken by the Officers of the relevant statutory bodies against the relevant planning instruments has been undertaken to consider residential amenity.

In addition, to the above it is noted that three (3) properties directly opposite the subject site contain residential dwellings (109, 113 and 135 Sandy Creek Road) . DEHP have advised that the air and noise reporting provided for the issue of a revised Concurrence Agency have taken into consideration these dwellings as sensitive receiving environments. On this basis, it is taken that the environmental design controls required by the DEHP conditions of approval will be sufficient to mitigate residential amenity impacts.

On this basis, it is considered the proposal will not compromise DEO Soc.5. Therefore, the Officer's Recommendation is for approval subject to reasonable and relevant conditions.

Economic Development

Deo Econ.5

The prudent use of renewable and non-renewable natural resources, having regard to their sustainable management.

Planning Objectives to Support DEO Econ.5:

Econ.5.3 to facilitate opportunities for the establishment of new renewable resource Developments and the recycling of existing resources.

Officer Comments

With respect to the above, as outlined by the Applicant, the proposal will involve the receipt and use of up to 250,000m³ of green waste per year. This green waste will be subject to crushing, sieving and grinding and result in particles suitable for either composting, mulch or biomass (fuel) for the cogeneration plant. This re-direction of this volume of green waste will lessen the burden on landfill sites across the Gold Coast City and allow for the recovery of energy in the form of electricity.

On this basis, it is considered the proposal will achieve the outcomes sought by DEO Soc.5. Therefore, the Officer's Recommendation is for approval subject to reasonable and relevant conditions.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Planning Strategies – Key Strategies

The basic elements of the natural environment, the economy and the community are developed in the Planning Strategy through 15 key strategies. These strategies individually consider the most important aspects of life of Gold Coast City, from a land use perspective. They directly address basic needs for housing and transport and the protection of important natural resources and environmental values. There is special attention given to the location of employment areas and the facilitation of Gold Coast City's tourism industry, and a major emphasis on the rapid urban growth of Gold Coast City, as is the City's urban heritage and character.

These principal strategies apply to the whole City. They are used to inform the selection and arrangement of Land Use Themes.

An assessment of the relevant Key Planning Strategies by the Applicant and comments by the Assessing Officer are outlined below.

- Chapter 12: Waste Management

Cities are places where resources are consumed on a large scale. They are also locations for the production of considerable amounts of waste. Waste can result in pollutants, which affect the quality of air, water and soils. Waste materials can be managed to protect the quality of the environment and to avoid health problems. The collection, storage and disposal of wastes represent a major activity in urban areas.

In terms of ecological sustainability, it is important that land use and development measures are implemented to:

- eliminate or reduce the production of wastes;
- encourage the reuse and recycling of waste materials;
- provide sufficient land and facilities for the treatment of wastes; and
- minimise the environmental impacts of the collection, storage and disposal of waste materials.

This strategy is directed at all land use and development activity.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
PN131872/13/DA2**

Officer Comments

With respect to this Waste Management strategy, it is noted that this development proposal is directly relevant. In this regard, it is noted that the proposal presents the opportunity to re-direct up to 250,000m³ of green waste a year from land fill to this biomass plant to be recycled for the purposes of energy recovery.

The Applicant asserts that such a scenario provides the opportunity to close an existing 'waste loop' and would result in a reduction in the land burden in the long term for the storage of green waste and the subsequent reduction of release of greenhouses gases to the atmosphere.

Applicant Representations

The Applicant states the following:

.....the proposed development represents cutting edge green technology which significantly contributes to the reduction in greenhouse gases at the local scale by reducing the amount of waste to landfill, recovering energy from waste products and production of clean electrical energy harvested from the processing of biomass.

In addition, the Applicant states the following:

In Queensland there are currently few opportunities to incorporate valuable waste streams into the waste-energy cycle, which has been identified as a priority by local, state and national government . Partly this is the result of poor investment in suitable infrastructure but also partly due to lack of innovation in the waste treatment/handling sector. Phoenix's goal is to reverse the trend and offer alternative environmental services which will both prolong existing landfill void space and generate sustainable sources of energy. With appropriate environmental management procedures and practises, Phoenix can achieve this goal with minimal or negligible impact to the receiving environment.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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SOUTH EAST QUEENSLAND REGIONAL PLAN

The subject site is located within the Urban Footprint under the South East Queensland Regional Plan 2009-2031 (SEQRP).

Applicant's Representations

It is important to note the proposal meets the intent of a number of regional policies, particularly in relation to Sustainability and Climate Change.

More specifically, Regional Policy 1- Sustainability and Climate Change, highlights the importance of ensuring that regions grow in a sustainable manner by ...” minimising the use of resources...reducing greenhouse gas emissions.

Specifically the regional plan identifies Desired Regional Outcomes and principles designed to achieve sustainability and manage climate change. A key policy plank is planning principle 1.3 which identifies the following measures as being important to reducing greenhouse gas emissions:

- Increase the efficient use of energy
- Supporting the generation of renewable energy and use of low emission technologies; and
- Minimising emissions from landfill

Officer Comments

With respect to the above, it is noted that this section of the regional plan identifies some specific mechanisms in support of sustainability and climate change, including co-generation.

Further, in support of Regional Policy 1 - Sustainability and Climate Change this section of the SEQRP states the following:

The Queensland Government's Climate Change Strategy supports deployment of existing low emission renewable technologies such as solar power, wind, geothermal and biomass (e.g. the waste from sugarcane milling) and the development of emerging low emission renewable to ensuring that 20 per cent of the nation's electricity supply comes from renewable energy sources by 2020. Electricity use accounts for about 42 per cent of the emissions in the Initiatives 2009).

On this basis, it is evident that the Regional Plan is supportive of this type of Industry proposal as a means to address Sustainability and Climate Change.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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STATE PLANNING POLICIES

Not Applicable.

REFERRALS

EXTERNAL REFERRALS

External Referrals

The subject development application triggered the following IDAS Concurrence/Advice Agencies:

Referral agency	Jurisdiction
Department of Emergency Services CHEM Unit GPO Box 1425 BRISBANE QLD 4001	Major Hazard Facility (Concurrence Agency)
Department of Transport & Main Roads PO Box 442 NERANG QLD 4211	Land not contiguous to a State-controlled road under Schedule 2 of the Integrated Planning Regulation 1998 (Concurrence Agency)
Development Application Lodgement Department of Environment & Resource Management (formally EPA) GPO Box 15155 CITY EAST QLD 4002	Environmentally Relevant Activities (Concurrence Agency)
Development Application Lodgement Department of Environment & Resource Management (formally EPA) GPO Box 15155 CITY EAST QLD 4002	Referrable Wetland (Advice Agency)

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Concurrence Agency - Department of Emergency Services - Major Hazard Facility

Via written correspondence, dated 3 February 2010, the Department of Emergency Services identified that a 'Major Hazard Facility' exceeds a storage threshold of 200 tonnes, whereas the subject proposal is identified as storing up to 90 tonnes. In this regard, the Department of Emergency Services had confirmed that the proposal will be classified as a 'large dangerous goods storage location'. The department advised that the Applicant has ongoing obligations in accordance with the relevant Act.

Concurrence Agency - Department of Transport & Main Roads - Land not contiguous to a State-controlled road under Schedule 2 of the Integrated Planning Regulation 1998

Via written correspondence, dated 25 January 2010, the Department of Transport & Main Roads advised of no objection to the proposal and confirmed that the industrial activity will not have an impact upon the state controlled road network.

Concurrence Agency - Department of Environment & Heritage Protection (DEHP) - Environmentally Relevant Activities

Via written correspondence dated 13 February 2012, DERM provided a Concurrence Agency response and conditions of approval.

On 11 July 2012, pursuant to section 3.5.9 of the Integrated Planning Act 1997, the Applicant requested that the decision making period be stopped to make further representations to DEHP with a view to obtaining a revised Concurrence Agency Response.

It is understood that these representations in the form of updated technical reporting were provided to DEHP to ensure the recommended mitigation measures considered the residents situated at 109 Sandy Creek Road, 117 Sandy Creek Road and 135 Sandy Creek Road, Yatala as 'sensitive receivers'.

On 19 November 2012 DEHP provided a revised Concurrence Agency response providing conditions of approval for the environmental management plan/s for of the various ERA's associated with the Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant).

A more detailed overview of this assessment process is provided later within this report ('Assessment of Other Aspects of the Proposal' section).

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Advice Agency - Department of Environment & Heritage Protection - Referrable Wetland

Via written correspondence, dated 13 February 2012, DEHP provided a Advice Agency response. DEHP have recommended that the development should be setback an acceptable distance from the onsite wetland to maintain the integrity and function of the ecosystem and associated habitat values. In this regard, Council's Environmental Planning Branch confirms that the Applicant has proposed to retain the wetland vegetation and has proposed a 70 metre minimal buffer to the waterway. This area is intended to be protected under an environmental covenant. Accordingly, a condition of approval within the Attached Recommendation requires the preparation of a covenant management plan. Refer to the Internal Referrals section below for further environmental assessment.

INTERNAL REFERRALS

The subject development proposal was subject to review by the Development Application Review Team (DART). The internal referrals nominated for further review and account of their assessment of this development application are provided below.

Operational Works

Given the application is a combined development application seeking a Development Permit for both Material Change of Use and Operational Works (Change to Ground Level), Council's Operational Works Branch undertook a review of the proposal.

Council's Operational Works Branch have provided conditions of approval, which are contained under citation B of the attached Officers Recommendation.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Gold Coast Water

Gold Coast Water has reviewed the development application and outline the following:

Potable and Recycled Water comments

Direct connectivity to Gold Coast Water's water reticulation system is not readily available. Recently Council has approved the application (PN131873/13/DA7) for expanding the existing use of Precast Concrete Manufacturing and Storage at 140 Sandy Creek Road (Lot 2 on RP158997), which is adjacent to the subject site. The conditions have been imposed for the developer to construct a 150mm potable water main to the whole frontage of Lot 2 on RP158997, up to the southern boundary of the subject development site in Sandy Creek Road. The applicant is required to extend the 150mm main from the boundary of Lot 1 on RP158997 and Lot 2 on RP158997, along Sandy Creek Road, for the full frontage of the development site, at no cost to Council.

The development site falls into Dual-Reticulated Area in accordance with Planning Scheme Policy 11. The planning of recycled water reticulation system to this area is being undertaken by Council. The applicant shall provide a cross connection to the potable water until the recycled water becomes available.

Wastewater comments

There is no existing wastewater infrastructure within the vicinity of the development. Priority Infrastructure Planning (PIP) proposes a 300/450/525mm gravity sewer main be constructed, which will provide wastewater infrastructure to the site. The proposed expansion of existing operations and Industry will increase the staff to 40. As an interim measure, the on-site wastewater disposal is to be approved by EPA, until the proposed permanent sewerage services become available.

Gold Coast Water conditions of approval are contained within the attached Officer Recommendation.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Health & Regulatory Services

Council's Health & Regulatory Services undertook a preliminary assessment of the proposal. They advised that given DEHP were a Concurrence Agency they had no requirements in relation to this proposal.

Council's Health and Regulatory Services Branch provided the following comments:

Due to the complexity of associated operations and Environmentally Relevant Activities (ERA's), Council is reluctant to allow for 24 hour use.

Council is therefore seeking advice from the DERM with regard to the appropriateness of restricting/conditioning operations.

With respect to the above, it is noted that the DEHP do not typically impose conditions of approval to regulate hours of operation. Rather, it is understood that their assessment is primarily focused upon the provision of appropriate design and mitigation measures relative to the nature and intensity of activities within an operational period (i.e day, evening and night time periods).

In this regard, it is the understanding of the Assessing Officer that the environmental legislation guiding DEHP assessment provides specific thresholds in consideration of achieving amenity goals (acoustics, air quality, dust suppression) for sensitive receiving environments (houses).

Upon the issue of the second DEHP Concurrence Agency response Council Officers were advised that the conditions of approval have been imposed to require the design and construction of all plant infrastructure for it to achieve the relevant environmental objectives.

Therefore, the conditions of approval for hours of operation imposed by the Gold Coast City Council are consistent with the DEHP requirements.

A more detailed overview of this assessment process is provided later within this report ('Assessment of Other Aspects of the Proposal' section).

Landscape Assessment

Council's Landscape Assessment Branch undertook a preliminary review of the proposal and have provided conditions of approval (widening of frontage vegetation buffer).

Environmental Assessment

Council's Environmental Assessment Branch reviewed the proposal and have recommended conditions of approval primarily in relation to the provision of a conservation linkage and wetland protection, as outlined below.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Conservation Linkage

The site is identified as containing a 'conservation linkage' on Overlay Map 29.3 of the Yatala LAP. In response to the respective Performance Criteria contained within the Yatala Enterprise Area Local Plan the Applicant has proposed a vegetated buffer along the northern property boundary with a minimum 20 metres in width.

Conditions of approval are contained within the Attached Officer Recommendation for this vegetated area will be protected under an environmental covenant alongside the preparation of a covenant management plan.

Wetland Protection

The north east corner of the site is indentified as containing a state referable wetland area. Performance Criterion 8 of the Natural Wetland and Natural Waterways Constraint Code requires a buffer distance of 100 metres to a wetland area. As such, the Applicant was requested to provide a minimum 100 metre wide buffer to this wetland area. It was requested that this area will not be utilised for any stormwater treatment, detention or management.

In response, the Applicant has proposed to retain the wetland vegetation and has proposed a 70 metre minimal buffer to the waterway. Council's Environmental Planning Branch have recommended conditions of approval for this vegetated wetland area be protected under an environmental covenant. Accordingly, a condition of approval contained within the Attached Recommendation requires the preparation of a covenant management plan.

Effluent Disposal

Gold Coast Water have imposed conditions of approval requiring the development to be connected to Council's reticulated wastewater system within six (6) months of an available connection to Council's system becoming available.

However, in the interim the Applicant needs to demonstrate that onsite effluent disposal has been incorporated into the overall development layout. Council's Plumbing and Drainage Branch have identified three acceptable options for onsite effluent disposal, being:

- a Into a septic tank and then to a land application area
- d Into a Wastewater Treatment Plant with a Chief Executive Approval and then to a land application area
- e Into a holding tank and then trucked off site

Council's Plumbing and Drainage Branch have provided a condition of approval requesting the submission of an effluent disposal report for approval by Council's Environmental Assessment and Plumbing and Drainage Branch prior to any works commencing onsite.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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City Transport

Council's City Transport Branch have assessed the proposal and have recommended conditions of approval.

Of note, the submitted traffic report identifies additional heavy vehicle movements would arise by virtue of the additional green waste to be imported to the site to be used for either composting/mulching or biomass (fuel).

The Applicant asserts that given the imported green waste can be used for either biomass or composting/mulching the proposal will result in an overall reduction of daily heavy vehicle movements (transporting unsuitable green waste to landfill). Council's City Transport Branch raise no concerns with this approach and do not consider that the proposal will have an adverse impact upon the functioning of the industrial road network.

As part of the proposal the Applicant proposes to widen the existing weighbridge area to allow for two way heavy vehicle movements (i.e. exit and entry across the weighbridge area in proximity to the Sandy Creek Road frontage), whilst the hardstand manoeuvring area/ internal driveway immediate to the site's singular ingress and egress point allows for up to 6 trucks to be located internal to the site (a total distance of 85 metres). Council's City Transport Branch have not raised any concerns with internal manoeuvring associated with this proposal.

Hydraulic Engineering

Council's Hydraulic Engineering Branch reviewed the proposal and provided conditions of approval.

Council's Hydraulic Engineering Branch advise that the applicant has submitted a stormwater management plan proposing that a number of dams on site be used for stormwater retention and reuse purposes. The dams have been proposed to retain all stormwater runoff from the site up to a 100 year ARI storm event. Moreover, a 0.5m freeboard has been proposed for the proposed Pond A (the largest one which is capable of holding 42.6 ML of stormwater).

The applicant proposes to reuse the stormwater contained within the dams and other above ground rainwater tanks for industrial purposes. In accordance with the submitted report, no stormwater will be discharged from the site up to 100 year ARI storm events. Therefore, no stormwater treatment facility has been proposed for this development. In case of necessity of discharging any stormwater from the dam (such as storm events exceeding the 100 year ARI), the above report has proposed a water quality objective of the released stormwater not more than 10% of the receiving water quality.

The water quality of the ponds/dams will be managed to achieve appropriate water quality objectives in accordance with the Queensland Water Quality Guidelines prepared by DERM.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Bushfire Planning

The Bushfire Planning section have reviewed the proposal and have provided conditions of approval.

Geotechnical Engineering

Council's Geotechnical Engineer have reviewed the proposal and have provided conditions of approval.

Plumbing and Drainage

Council's Plumbing and Drainage section have reviewed the proposal and have provided conditions of approval. In this regard, Council's Plumbing and Drainage Branch have provided conditions of approval requesting the submission of an effluent disposal report for approval by Council's Environmental Assessment and Plumbing and Drainage Branch prior to any works commencing onsite.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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INFRASTRUCTURE CHARGES CALCULATIONS

Application:	PN131872/13/DA2
Site Address:	126 SANDY CREEK ROAD, YATALA
Application No. & Code:	2900869 MCU
Application Description:	BULK GARDEN SUPPLIES, BIOMASS POWER PLANT & TRANSFER STATION

ADOPTED INFRASTRUCTURE CHARGE CALCULATION

Charge Calculation

	Qty		Rate	Gross Charge Amount
Industry	4,083.99	sq m Gross Floor Area	@ \$50.00	\$204,199.50
				\$204,199.50

	Qty		Rate	Gross Charge Amount
Proposed Impervious Area	0.946327	Hectares	@ \$100,000.00	\$94,632.70
				\$94,632.70

Net Charge Summary

Gross Charge Amount	Applied Credit Amount	Net Charge Amount
\$298,832.20	\$135,127.99	\$163,704.21

Office Use Only	
\$11,283.63	ADICWAT
\$34,782.56	ADICWWT
\$117,638.02	AICGCCC
\$163,704.21	

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1 PN131872/13/DA2

ADVERTISING

The applicant has submitted a written notice stating that public notification of the application has been completed in accordance with the requirements of the Integrated Planning Act 1997.

In response to advertising, the following submission/s were received:

- 27 x properly made submissions
- 10 x not properly made submissions
- 1 x properly made petition with 12 signatures
- 1 x not properly made petition with 4,000 signatures

The main points of objection are listed, followed by the Officer's comment.

Point of Objection	Officer's Comment
Health and well being -impact on nearby schools and public amenities	<p>The submitters in objection assert that the Industry and Bulk Garden Supplies proposal will result in adverse health impacts for nearby school students.</p> <p>With respect to environmental impacts it is noted that assessment of the technical reporting falls under the jurisdiction of DEHP.</p> <p>In this regard, DEHP have issued their Concurrence Agency response and conditions of approval.</p> <p>On this basis, it is considered this point of objection has been addressed and does not warrant refusal of this development application.</p>
Odour Pollution	<p>The submitters in objection assert that the Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) and Bulk Garden Supplies proposal will result in adverse environmental impacts (noise, odour, dust).</p> <p>With respect to environmental impacts, it is noted that assessment of the technical reporting associated with the respective environmentally relevant activities (ERA's) associated with the Industry and Bulk Garden Supplies falls under the jurisdiction of DEHP.</p> <p>In this regard, DEHP have issued their Concurrence Agency response and conditions of approval.</p> <p>On this basis, it is considered this point of objection has been addressed and does not warrant refusal of this development application.</p>
Noise	
Dust Pollution	

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Traffic Impacts/Safety	<p>The submitters in objection assert that the development proposal will compromise the local road network and raise safety issues for the surrounding area.</p> <p>In this regard, it is noted that the Department of Mains Roads and Transport have provided their Concurrence Agency response. They raised no concerns in relation to the functioning of the state controlled road network.</p> <p>Council's City Transport Branch were an internal referral for this development application. They have recommended conditions of approval in relation to the provision of off-street carparking spaces. In addition, they seek road upgrades along the full frontage of the site.</p> <p>Council's City Transport Branch advise that Sandy Creek Road is currently a 6.6 metre wide sub-standard pavement with a dividing line and no edge lines. Further, they identify that Sandy Creek Road is identified as a Arterial Road – Major Industrial Road (existing) in the Yatala Enterprise Area LAP Map 29.5 – Transport Infrastructure.</p> <p>On this basis, this Council's City Transport Branch recommend upgrade to Sandy Creek Road along the full frontage of the site, to a Industrial Collector Street road classification in accordance with Planning Scheme Policy 11 – Land Development Guidelines.</p> <p>In addition, it is noted that heavy vehicle movements to the site west of the Pacific Motorway will occur on Stanmore Road, which is designated as a Haulage Route and then onto Sandy Creek Road.</p> <p>Accordingly, it is considered that with the site frontage upgrade the Applicant will contribute to the formation of the required industrial road, which provides the transition form the designated haulage route to the motorway.</p> <p>It is considered this submitter issue has been appropriately addressed.</p>
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ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
PN131872/13/DA2**

<p>Not in accordance with planning scheme</p>	<p>The submitters assert that the scale and intensity of this proposal is contrary to the planning designation for the site.</p> <p>In response, and as detailed within the body of this report, the site will ultimately become part of Precinct 1: General Impact Business and Industry.</p> <p>The Precinct 1 intent clearly identifies that the core of the Precinct 1 area is the appropriate location for industrial development, where the Applicant can demonstrate that they can operate within safety thresholds and in accordance with relevant environmental legislative standards.</p> <p>Of key concern during the assessment of this proposal was the scale and intensity of the Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) proposal and the potential for adverse environmental impacts for the immediately adjoining and nearby sensitive receiving environments. However, it is noted that DEHP, in their role as a Concurrence Agencies have recommended approval of the Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) and have provided conditions of approval.</p> <p>DEHP are responsible for assessment of the respective ERA's associated with the Industry proposal.</p> <p>The DEHP conditions of approval require the Applicant to implement environmental management plans for the proposal (attenuation of noise, air quality standards, dust suppression etc) and ongoing monitoring. The DEHP recommendation for approval identifies that the Applicant has sufficiently demonstrated that the proposal can be designed and constructed to 'minimise external impacts within the threshold limits for safety and environmental protection established by the relevant state legislation and regulations'.</p> <p>In terms of compliance with the relevant planning provisions of the planning scheme, as outlined within the body of this report, the proposal accords with the intent of both the current Precinct 4: Future Industry and the ultimate Precinct 1: General Business and Industry.</p> <p>On this basis, it is considered that this submitter issue has been addressed.</p>
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ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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<p>Storage of hazardous materials</p>	<p>This point of objection is in relation the storage of hazardous material. The submitters assert that these hazardous materials pose a community health risk.</p> <p>This submitter issue appears to be in response to the proposal for regulated waste storage, treatment and processing.</p> <p>These components of the proposal represent ERA 55 - Regulated Waste Recycling or Reprocessing, ERA 56 – Regulated Waste Storage and ERA 58 – Regulated Waste Treatment.</p> <p>Based upon the referral triggers within the Integrated Planning Regulation 1997, DEHP are responsible for assessment of all these ERA's associated with this Industry proposal.</p> <p>As outlined within the body of this report, with respect to the management of any potential environmental impacts associated with this proposal, DEHP have the jurisdiction for providing conditions of approval, which effectively form the environmental management plan/s for the proposal (attenuation of noise, air quality standards, dust suppression etc).</p> <p>DEHP have recommended approval with conditions.</p> <p>On this basis, it is considered that this submitter issue has been addressed.</p>
<p>Impact on conservation area (wetland)</p>	<p>The submitters assert that the development footprint associated with this proposal will reduce the vegetation communities associated with the wetland located within the north east corner of the site.</p> <p>With respect to this issue, it is noted that the Applicant has proposed a 70 metre minimal buffer to the waterway to retain the wetland vegetation within this area.</p> <p>In response, Council's Environmental Planning Branch have recommended conditions of approval for this vegetated wetland area be protected under an environmental covenant.</p> <p>On this basis, it is considered that the development footprint represents an acceptable response to the Natural Waterways and Natural Wetlands Constraint Code.</p> <p>On this basis, it is considered that this submitter issue has been addressed.</p>

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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<p>Development will reduce flora and fauna 'green corridors'</p>	<p>This point of objection is in relation to site being identified as containing a 'Conservation Linkage' on Overlay Map 29.3 of the Yatala LAP.</p> <p>In this regard, it is noted that Acceptable Solution AS18.1 identifies that areas identified as Conservation on Yatala Enterprise Area LAP Map 29.3 – Conservation Areas and Priorities are reserved for conservation purposes, through:</p> <ul style="list-style-type: none"> a) transfer to Council; b) dedication of a conservation easement; or c) reservation of an area of the site as open space. <p>Council's Environmental Planning Branch confirm that in response to the respective Performance Criteria contained within the Yatala Enterprise Area Local Plan, the Applicant has proposed a twenty (20) metre vegetated buffer along the northern property boundary, which adjoins the state recreation reserve.</p> <p>This buffer provided in addition to the ten (10) metre buffer proposed along the western property boundary will be protected via an environmental covenant registered on the allotment title.</p> <p>It is considered that this submitter issue has been addressed.</p>
<p>Exceeds EPA guidelines</p>	<p>The submitters asserts that the scale and intensity of the proposal is beyond what is envisaged under the EPA guidelines.</p> <p>In response to this matter it is noted that DEHP have provided a second Concurrence Agency response with conditions of approval.</p> <p>It is understood that these conditions of approval have been derived from a detailed assessment of the proposal against the relevant environmental legislation.</p> <p>It is considered that this submitter issue has been addressed.</p>
<p>Quality of DEHP assessment</p>	<p>The submitters assert that the assessment has been inadequate.</p> <p>This is not a planning scheme matter relevant to Council Officer assessment.</p> <p>It is considered that this submitter issue has been addressed.</p>

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1 PN131872/13/DA2

<p>Located too close to residential properties</p>	<p>The submitters assert that the industrial proposal is not sufficiently separated from the surrounding residential areas and contrary to the separation distances put forward by the relevant legislation, in particular the State Planning Policy (SPP) 5/10 - Air, Noise and Hazardous Materials 2010.</p> <p>In this regard, it is noted that the site is in proximity to residential areas within the residential domain designations of Yatala (located approximately 500m away) and Ormeau (located approximately 1.3 km away). In addition, three remnant residential properties are located directly opposite the site on the opposite side of Sandy Creek Road (109, 113 and 135 Sandy Creek Road still contain residential dwellings).</p> <p>With respect to separation, it is noted that the planning scheme does not contain any specific threshold distances to separate industrial and residential development. Rather, it is understood that the strategic planning process undertaken to arrive at the respective Domain designations generally take such matters into consideration.</p> <p>In this regard, and as outlined within the body of this report (Relationship to the Yatala Enterprise Area LAP section), it is evident that the spatial arrangement of precincts for the ultimate Yatala Enterprise Area LAP (Map 29.4 – Ultimate Precincts) on the western side of the motorway encourages an overall decrease in scale and intensity of industrial development from the core to the periphery.</p> <p>In this regard, it is noted that the subject site is located within the core area of the future Precinct 1: General Impact Business and Industry area on the western side of the motorway. The immediate precinct transition to the east and west of this core area is from Precinct 1 to 2: Low Impact Business and Industry, whilst Precinct 3: Open Space provides for the immediate interface with the residential areas of the Yatala and Ormeau residential areas.</p> <p>In addition, DEHP also confirm that their second Concurrence Agency Response requires specific design, construction and monitoring of plant and infrastructure to ensure the relevant residential amenity goals are met for nearby residents (109, 113 and 135 Sandy Creek).</p> <p>In terms of DEHP assessment, this state department are required to have regard to environmental impacts and require the Applicant to demonstrate compliance by implementing best practice management techniques and to ensure the activity will not cause environmental harm. It is understood these design outcomes are not specifically related to separation distances from a sensitive use.</p> <p>With reference to State Planning Policy (SPP) 5/10 - Air, Noise and Hazardous Materials 2010, the submitters assert that specific separation distances should be applied to this type and scale of industry as proposed by the biomass plant.</p> <p>In response, it is the understanding of the Assessing Officer that this SPP in the context of a development application is triggered by development being a material change of use or reconfiguration of a lot for the purpose of a 'sensitive use' or where proposed within a management area (Schedule 5 of the SPP).</p> <p>In this regard, it is noted that this proposal is not for the purpose of a sensitive use (house/residential). Nor is the development, or any part of the development, proposed within a management area.</p> <p>The Assessing Officer is of the understanding that this SPP does identify separation distances between residential and industrial zoning based on industrial scale and intensity for individual development applications.</p> <p>Rather, it is evident that these separation distances between industrial zones and residential zones are required to be considered as part of a strategic planning scheme making process (consider zoning separation when determining the future zoning allocation of the planning scheme).</p> <p>On this basis, it is considered that this submitter issue has been addressed.</p>
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ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1 PN131872/13/DA2

<p>Toxic & chemical waste leaching into the soil</p>	<p>The submitters assert that the regulated waste to be received will not be contained and leach into the soil resulting in contamination.</p> <p>In response, it is noted that the assessment and subsequent required design controls to be implemented with the waste oil treatment and regulated waste processing fall under the jurisdiction of DEHP.</p> <p>It is considered that this submitter issue has been addressed.</p>
<p>Hours of operation</p>	<p>This submitter issue is in relation to the proposal for operation 24 hours a day seven (7) days a week. As outlined within the body of this report, the Applicant proposes to operate only the cogeneration plant 24 hours a day, 7 days per week and a front end loader for loading of green waste (biomass).</p> <p>The condition contained within the attached Officer Recommendation (condition 7) reads as follows:</p> <p>AMENITY</p> <p>Hours of operation</p> <p>The only Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) activities permitted to operate 24 hours seven (7) days a week are the cogeneration plant and one (1) front end loader required to load the green waste (biomass).</p> <p>Truck movements associated with Bulk Garden Supplies and Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) to be conducted only between the hours of 6 am to 6 pm 7 days a week.</p> <p>All activities associated with the Bulk Garden Supplies and Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) to be conducted only between the hours of 6 am to 6 pm 7 days a week.</p> <p>It is noted that DEHP do not typically impose conditions of approval to regulate hours of operation. Rather, it is understood that their assessment is primarily focused upon the provision of appropriate design and mitigation measures relative to the nature and intensity of activities within an operational period (i.e. day, evening and night time periods).</p> <p>In this regard, it is the understanding of the Assessing Officer that the environmental legislation guiding DEHP assessment provides specific thresholds in consideration of achieving amenity goals (acoustics, air quality, dust suppression) for sensitive receiving environments (houses).</p> <p>Upon the issue of the second DEHP Concurrence Agency response, Council Officers were advised that the conditions of approval have been imposed to require the design and construction of all plant infrastructure for it to achieve the relevant environmental objectives.</p> <p>Therefore, the conditions of approval for hours of operation imposed by the Gold Coast City Council are consistent with the DEHP requirements.</p> <p>It is considered that this submitter issue has been addressed.</p>

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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<p>Visual amenity (chimney stack)</p>	<p>This point of objection is in relation to the height of the chimney stack.</p> <p>As outlined in detail within the body of this report (Compliance with the Yatala Enterprise Local Plan Place Code section), it is considered the Alternative Solution meets with the intent of the Performance Criteria PC7 of the Yatala Enterprise Area LAP.</p> <p>It is considered that the proposed height of the stack will not compromise the existing visual amenity or landscape character of this industrial area.</p> <p>On this basis, it is considered that this submitter issue has been addressed.</p>
<p>Lack of community consultation</p>	<p>The submitters assert that there has not been sufficient community consultation.</p> <p>In response to this matter it is noted that the development application was Impact Assessable and was subject to public notification for 30 business days during February 2011 in account of the onsite wetland.</p> <p>In this regard, the Applicant claims that they have undertaken the legislative requirements of the Integrated Planning Act 1997.</p> <p>In addition to above, it is noted that the submission received outside of the public notification period, which have been considered as part of the common material for this development application.</p> <p>On this basis, it is considered that this submitter issue has been addressed.</p>

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Assessment of Other Aspects of the Proposal

Sensitive Receiving environments – 24/7 operations

The following section of this report provides background in relation to the assessment of this proposal and the implications of the jurisdictional overlap between Gold Coast City Council and the Department of Environment and Heritage Protection (DEHP).

Based upon the Integrated Planning Regulation 1997 and the IDAS provisions, the Department of Environment and Heritage Protection (formerly DERM) were triggered as a Concurrence Agency given the Industry proposal included Material Change of Use for several Environmentally Relevant Activities (ERA's). On 13 February 2012 DERM provided their Concurrence Agency response to Council approving the various ERA's subject to conditions of approval, which shifted Council as the Assessment Manager into the Decision Making Period.

The Concurrence Agency response provided conditions of approval for environmental management plan/s for of the various ERA's yet remained silent on hours of operation. Upon speaking with DERM Officers the Assessing Officer was advised that the responsibility of considering the appropriateness of 24/7 hours operation defaults to Gold Coast City Council.

In this instance, Council had the obligation to consider the likelihood of any potential residential amenity impacts for the three remnant residential properties located on the opposite side of Sandy Creek Road, directly opposite to the subject site (109 Sandy Creek Road, 117 Sandy Creek Road, 135 Sandy Creek Road, Yatala). Specifically, Council Officers were responsible for determining if these properties were occupied and if the residents should be considered as sensitive receivers and be subject to the noise amenity goals for 'low density residential environments'.

Given the transition into the Decision Making Period of IDAS and the complex nature of the proposal Council Officers considered it appropriate to undertake the following staged actions:

- Visit the three remnant residential properties located on the opposite side of Sandy Creek Road, directly opposite to the subject site (109 Sandy Creek Road, 117 Sandy Creek Road, 135 Sandy Creek Road, Yatala) to establish if these properties should be considered as 'sensitive receivers'; and
- Engage an external environmental health professionals with the relevant level of expertise to review the Applicants air and noise reporting to ascertain if the mitigation measures considered the residents at 109 Sandy Creek Road, 117 Sandy Creek Road and 135 Sandy Creek Road, Yatala as 'sensitive receivers'.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Site Visit

Council Officers (Assessing Officer and Environmental Health Officer) on 17 May 2012 undertook informal investigations at each of the abovementioned properties. Upon speaking with the owners or occupants of these properties it was confirmed that despite the industrial designation each of these properties they were still being used for residential purposes.

As such, an external environmental health consultant was engaged to undertake a peer review.

External Peer Review

The findings of external peer review recommended further mitigation measures be applied to ensure the residents situated at 109 Sandy Creek Road, 117 Sandy Creek Road and 135 Sandy Creek Road, Yatala be considered as 'sensitive receivers'.

On 11 July 2012, pursuant to section 3.5.9 of the Integrated Planning Act 1997, the Applicant requested that the decision making period be stopped to make further representations to DEHP with a view to obtaining a revised Concurrence Agency Response.

It is understood that these representations in the form of updated technical reporting were provided to DEHP to ensure the recommended mitigation measures considered residents situated at 109 Sandy Creek Road, 117 Sandy Creek Road and 135 Sandy Creek Road, Yatala as 'sensitive receivers'.

During November 2012 DEHP provided a revised Concurrence Agency response providing conditions of approval for the environmental management plan/s of the various ERA's associated with the Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant).

Upon speaking with DEHP Officers it is understood that their conditions of approval provide for design mitigation measures for the operation of the cogeneration plant where operating 24 hours a day 7 days a week.

With respect to the above, Council Officers consider that the potential residential amenity impacts have been fully considered. On this basis, it is considered by Council Officers that the hours of operation proposed by the Applicant be supported.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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As outlined earlier within this report, the Applicant proposes to operate only the cogeneration plant 24 hours a day 7 day a week (with a front end loader operational to fuel the plant). It is understood that such hours of operation are proposed to ensure the operation is cost effective in terms of outputs and electricity generation. Truck movements associated with the delivery of green waste and Bulk Garden Supplies land use are not proposed in the evening or night time periods.

The Applicant confirms that the proposed weekend operational scenario includes, light commercial and passenger vehicles access site, one front end loader operating in the green waste area, forklift operating in recovered goods area, and front end loader operation.

Further, the applicant confirms that the proposed night time operational scenario includes the operation of the cogeneration plant, front end loader operation to load green waste and passenger vehicles accessing the site (during shift change).

Existing Use Rights

As outlined earlier within this report, Council have issued two approvals for this site in relation to Bulk Garden Supplies (1993) and Medium Industry (Manufacture of Soil Conditioning Agent). It is noted that the first approval in 1993 led to the formation of an industrial development layout across the site including driveways, weighbridge, administration building etc.

The second development approval issued in 1998 allowed for the undertaking of soil conditioning, which allowed the use of materials such as timber shavings, woodchip and chicken litter to produce soil conditioners and other compost products. Specifically, this process involves the importation of raw materials, which are cured, mixed and conditioned to a correct moisture content and then placed in to windrows to allow composting. In this regard, it is understood that the additional process was sought to be undertaken within the existing approved development footprint.

The current proposal before council seeks an increase in the importation of raw material by 50,000m³ to be used for either soil conditioning, composting or crushed and screened for use a biomass (fuel) for the power plant.

On this basis, with the exception of the introduction of the Biomass Power Plant, the proposal largely represents an increase in the scale and intensity of the existing land uses outlined above. In this regard, from a compliance perspective, it would be a difficult task to ascertain which development approval is being acted upon where the earlier approvals grant the importation and onsite processing of 200,000m³ of the envisaged 250,000m³ green waste.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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The optimal outcome for Council and the community is to have the most recent approval and associated conditions of approval from both DEHP and Council encapsulate all the industrial activities occurring across the site. Specifically, have one comprehensive approval only to apply to the site.

In this regard, Council cannot simply extinguish these existing lawful use rights. However, it is considered reasonable to apply a condition of approval, which clearly identifies when the Environmental Management Plan (EMP) issued by DEHP and the Council conditions of approval 'take effect'. To ensure clarity and transparency, the recommended condition of approval reads as follows:

Notwithstanding the two existing development approvals for Bulk Garden Supplies (1993) and Medium Industry (Manufacture Of Soil Conditioning Agent) (1998), upon the completion of the Operational Works (Changes to Ground Level) to be undertaken in conjunction with this development approval and implementation of the updated stormwater management plan, the Applicant shall at all times comply with the conditions of approval of this approval for all activities relating to the Medium Industry (Manufacture Of Soil Conditioning Agent), Industry (Advanced Waste Transfer Facility/ Biomass Power Generation Plant) and Bulk Garden Supplies.

CONCLUSION

Council is in receipt of a Material Change of Use (Impact Assessable) development application seeking a Development Permit for Operational Works (Change to Ground Level) (Development Permit), Development Permit for Industry (Advanced Waste Transfer Facility/ Biomass Power Generation Plant), Bulk Garden Supplies and Environmentally Relevant Activities being ERA 8 – Chemical Storage, ERA 14(2)(a) – Electricity Generation, ERA 33 – Crushing, Milling, Grinding or Screening, ERA 53 – Composting and Soil Conditioner Manufacturing, ERA 55 – Regulated Waste Recycling or Reprocessing, ERA 56 – Regulated Waste Storage, ERA 58 – Regulated Waste Treatment, ERA 62 – Waste Transfer Station Operation at 126 Sandy Creek Road, Yatala (Lot 1 on RP158997).

The Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) proposal involves the receipt of green waste, which will be subject to sieving, grinding and crushing to produce three waste streams suitable for either biomass (fuel) for the proposed cogeneration plant, mulch or compost. The industry proposal also involves the receipt of regulated wastes, with regulated waste recycling and processing of up to 300,000 litres/annum. The industry proposal also includes the sorting of construction/demolition waste and commercial/industrial waste.

The proposed 15MW cogeneration unit will be used to generate 'green' electricity from waste materials by combusting the green waste materials to heat water in a boiler. The steam from this process will then be used to spin a turbine and generate electricity, which is fed to the electricity grid constantly whilst the cogeneration plant is operational.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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As outline in detail within the body of this report, it is considered that the proposal will accord with Precinct 4: Future Business and Industry subject to the imposition of reasonable and relevant conditions of approval to ensure adequate infrastructure provision. With the implementation of the required infrastructure, this development will not preclude the development of this site to be used intensively for Industry.

It is considered that the proposal accords with the overarching intent/s for Precinct 1: General Impact Business and Industry. As outlined in the body of this report, the subject site will ultimately be located within the core of Precinct 1 of the Yatala Enterprise LAP.

Upon review of the proposal against the higher order parts of the planning scheme it is considered that the proposal will not compromise the DEO's of the Our Living City Planning Scheme 2003 (version 1.3). Further, it is evident that the proposal directly responds to Waste Management Planning Objectives identified in Part 3, Planning Strategies, Division 2, Key Strategies, Chapter 12: Waste Management and Regional Policy 1 - Sustainability and Climate Change of the SEQRP.

In this regard, the proposal is taken to be of state and regional significance whereby the proposal presents the opportunity to re-direct up to 250,000m³ of green waste a year from land fill to this biomass plant to be recycled for the purposes of energy recovery. It is understood that this proposal represents an opportunity to close an existing 'waste loop' and significantly contribute to the reduction in greenhouse gases at the local scale by reducing the amount of waste to landfill, recovering energy from waste products and production of clean electrical energy harvested from the processing of biomass.

Upon review of the proposal against the Yatala Enterprise Area Local Plan, it is considered the proposal meets with the intent of both Precinct 4 and the ultimate precinct 1. Whilst the Applicant proposes an Alternative Solution in response to Performance Criteria PC7 it is considered the building/structure height achieves the intent of PC7 of the Yatala Enterprise Area LAP. It is considered that in conjunction with a widening of the vegetation buffer along the southeast portion of the site frontage, the vegetation to be protected via an environmental covenant area will provide adequate screening of the structures above three storeys in height.

Of key concern during the assessment of this proposal was the scale and intensity of the Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) proposal and the potential for adverse environmental impacts for the immediately adjoining and nearby sensitive receiving environments. However, it is noted that DEHP, in their role as a Concurrence Agencies have recommended approval of the Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) and have provided conditions of approval. DEHP were responsible for assessment of the respective ERA's associated with the Industry proposal. The DEHP conditions of approval require the Applicant to implement environmental management plans for the proposal (attenuation of noise, air quality standards, dust suppression etc) and ongoing monitoring. The DEHP approval identifies that the Applicant has sufficiently demonstrated that the proposal can be designed and constructed to 'minimise external impacts within the threshold limits for safety and environmental protection established by the relevant state legislation and regulations'.

On this basis, the Officers Recommendation is for Approval subject to reasonable and relevant conditions.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
PN131872/13/DA2**

STANDARD NOTIFICATIONS

Bushfire Management

There are development approval conditions applicable in relation to Bushfire Management on this lot and all subsequent lots. All property owner(s) must ensure compliance with these conditions. Please refer to Gold Coast City Council's PN file and Decision Notice for further information.

Rainwater Tank

To achieve water saving targets in a reticulated water supply region:

- 2** All commercial and non-residential properties shall meet the performance criteria of the Gold Coast City Council's Commercial and Non-Residential Rainwater Tank Design and Installation Policy (as amended from time to time).
- 2** To achieve water saving targets in dual reticulated water supply regions all attached, detached dwellings, commercial and non-residential properties shall meet the requirements of Gold Coast Planning Scheme Policy 20 – Rainwater Tanks and Gold Coast City Council's Commercial and Non-Residential Rainwater Tank Design and Installation Policy (as amended from time to time).

Information note:

The rainwater tank system on this property shall be maintained by the owner in accordance with all relevant statutory requirements and when amendments are made.

Please be aware that failure to comply with the Queensland Development Code (QDC) is an offence of 165 penalty units under the Building Act 1975 and the Built Environment section of the Gold Coast City Council has a process in place to capture the provisions of the QDC.

For further information please contact Gold Coast City Council's Plumbing & Drainage Department.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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RECOMMENDATION

It is recommended Council resolve:

Real Property Description	Lot 1 on RP158997
Address of Property	126 Sandy Creek Road, Yatala
Area of Property	20.35 hectares
Decision Type	Bulk Garden Supplies, Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant)
Further Development Permits	Operational Works (Works for Infrastructure), Operational Works (Landscaping) Operational Works (Vegetation Works)
Further Compliance Permits	None
Compliance Assessment required for documents or works	Covenant Management Plan, Fauna Assessment / Management Documentation, Effluent Report

NATURE OF DECISION

- B** Council approves the issue of a Development Permit for Material Change of Use for Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant), Bulk Garden Supplies and Environmentally Relevant Activities being ERA 8 – Chemical Storage, ERA 14(2)(a) – Electricity Generation, ERA 33 – Crushing, Milling, Grinding or Screening, ERA 53 – Composting and Soil Conditioner Manufacturing, ERA 55 – Regulated Waste Recycling or Reprocessing, ERA 56 – Regulated Waste Storage, ERA 58 – Regulated Waste Treatment, ERA 62 – Waste Transfer Station Operation, subject to the following conditions:

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1 PN131872/13/DA2

APPROVED PLANS/DRAWINGS

3 Amended plans/drawings to be submitted

a Amended plans/drawings must be submitted generally in accordance with:

Plan No.	Rev.	Title	Date	Prepared by
1341-A011 (SHEET 1 OF 7)	H		13/11/12	Beach Wagner Consulting Engineers
1341-A011 (SHEET 2 OF 7)	H		9/12/10	Beach Wagner Consulting Engineers
1341-A011 (SHEET 1 OF 3)	C		12/11/12	Beach Wagner Consulting Engineers
1341-A011 (SHEET 3 OF 7)	H		09/12/10	Beach Wagner Consulting Engineers
1341-A011 (SHEET 4 OF 7)	H		09/12/10	Beach Wagner Consulting Engineers
1341-A011 (SHEET 5 OF 7)	H		09/12/10	Beach Wagner Consulting Engineers
1341-A011 (SHEET 6 OF 7)			09/12/10	Beach Wagner Consulting Engineers
1341-A011 (SHEET 7 OF 7)	H		09/12/10	Beach Wagner Consulting Engineers
1341-A011 (SHEET 2 OF 3)	C		22/02/10	Beach Wagner Consulting Engineers

showing the following amendments:

- i provide sufficient plan detail to identify the provision of forty (40) off-street staff/employee car parking spaces and two (2) off-street visitor car parking spaces; and
 - ii identify a pedestrian connection, separated entirely from vehicular traffic, to be constructed linking from the external footpath on Sandy Creek Road to the Administration Building.
 - iii Nominate plan titles on each plan listed above (i.e. proposal plan, elevation plan etc)
- b The amended plans/drawings are to be submitted to Council for approval by the Chief Executive Officer prior to:
- i Issue of a development permit for the carrying out of building work.
- c The amended plans/drawings, when approved by the Chief Executive Officer, will be the approved plans/drawings forming part of this approval and a stamped copy will be returned to the applicant. The development must be carried out in general accordance with the approved plans/drawings.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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4 Decision notice and approved plans/drawings to be submitted with subsequent application

A copy of this decision notice and accompanying stamped approved plans/drawings must be submitted with any building development application and operational works application relating to or arising from this development approval.

5 Decision notice and approved plans/drawings to be retained on-site

A copy of this decision notice and stamped approved plans/drawings must be retained on site at all times. This decision notice must be read in conjunction with the stamped approved plans to ensure consistency in construction, establishment and maintenance of approved works.

6 Any deviations require further approval

Any proposed deviation from the approved plans/drawings as a result of on-site or in-situ conditions must not be made unless amended plans/drawings are submitted and approved by Council. The development must be carried out in accordance with the approved amended plans/drawings.

PLANNING

7 Bulk Garden Supplies

The sale or distribution of Bulk Garden Supplies is not permitted to be direct to the general public and does not constitute a Retail Nursery.

8 Comply with approval in effect

Notwithstanding the two existing development approvals for Bulk Garden Supplies (1993) and Medium Industry (Manufacture Of Soil Conditioning Agent) (1998), upon full completion of the Operational Works (Changes to Ground Level) to be undertaken in conjunction with this development approval and implementation of the updated stormwater management plan, the Applicant shall at all times comply with the conditions of approval of this Decision Notice for all activities relating to the Medium Industry (Manufacture Of Soil Conditioning Agent), Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) and Bulk Garden Supplies.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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AMENITY

9 Hours of operation

- a The only Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) activities permitted to operate 24 hours seven (7) days a week are the cogeneration plant and one (1) front end loader required to load the green waste (biomass).
- b Truck movements associated with Bulk Garden Supplies and Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) to be conducted only between the hours of 6 am to 6 pm 7 days a week.
- c All activities associated with the Bulk Garden Supplies and Industry (Advanced Waste Transfer Facility/Biomass Power Generation Plant) to be conducted only between the hours of 6 am to 6 pm 7 days a week.

CONSTRUCTION MANAGEMENT

10 Construction management plan

Part A: Construction Management Requirements

- a A construction management plan must be submitted to, and approved by, Council prior to the issue of any development permit for the carrying out of building work.
- b The construction management plan must be submitted in accordance with the Application for Construction Management Plan form and Guidelines for Construction Management Plans are available on Council's website.
- c The construction management plan must address all activities associated with construction (excluding noise and dust issues), including but not limited to:
 - i Vehicle access (including responsibility for maintenance of the defined cartage route) during hours of construction;
 - ii Traffic management (including loading and unloading);
 - iii Parking of vehicles (including on site employees and delivery vehicles);
 - iv Maintenance of safe pedestrian movement across the site's frontage/s (including by people with disabilities);
 - v Building waste / refuse disposal;
 - vi Presentation of hoarding to the street;
 - vii Tree management.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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- d The construction management plan must demonstrate that:
 - i the general public will be adequately protected from construction activities;
 - ii the building site will be kept clean and tidy to maintain public safety and amenity; and
 - iii demand for occupation of the street and protection of Council assets will be well managed.
- e The approved construction management plan must be complied with and kept on-site at all times.

Part B: Road/footpath Closure Requirements

- a Where as a result of construction work or activities it is necessary to temporarily close a road/footpath under the control of Council the following requirements will apply.
- f Where it is proposed to interfere with a road for any building or construction work such as a gantry, hoarding or skip bin, an application for temporary closure of a Council controlled road must be submitted to, and approved by, Council prior to the issue of any development permit for the carrying out of building work. Such application is to be lodged in conjunction with an application for approval of a construction management plan.
- g Where it is required to interfere with a road for any building or construction related work for a period in excess of two (2) weeks, a Road Closure Work Zone permit is to be obtained from Council's Traffic Management and Operations Branch.
- h Where it is required to occupy any portion of the road reserve in conjunction with building or construction work, a permit to occupy is to be obtained from Council's Property Section.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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11 Noise management

- a Noise from construction activities must not cause an 'environmental nuisance' (within the meaning of that term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008.
- b A noise management plan must be submitted to, and approved by, Council prior to the issue of any development permit for the carrying out of building work.
- c The noise management plan must:
 - i be prepared by a suitably qualified acoustic engineer;
 - ii provide details of expected noise sources;
 - iii include an assessment of the predicted noise levels from all proposed construction activities;
 - iv identify the measures and work practices that will be implemented to ensure that noise from construction activities does not cause an 'environmental nuisance' (within the meaning of that term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008;
 - v identify the procedures to be adopted for monitoring of noise emissions;
 - vi provide details of complaint response procedures that will be adopted;
 - vii identify the procedures to be adopted for revision and review of the noise management plan.
- d The approved noise management plan must be complied with and kept on-site at all times.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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12 Dust management

- a The release of dust and particulate matter from construction activities must not cause an 'environmental nuisance' (within the meaning of that term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008.
- b When requested by Council, monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust or particulate matter.
- c The monitoring must be carried out:
 - i by a suitably qualified professional;
 - ii at the potentially affected sensitive receptor/s;
 - iii by applying the procedure set out in chapter 5, part 3 of the Environmental Protection Regulation 2008; and
 - iv within 5 business days of receipt of the request from Council.
- d The data and monitoring results must be provided to Council within 3 business days of completion of the monitoring.
- e If the air quality objectives stated in schedule 1, column 3 of the Environmental Protection (Air) Policy 2008 have been exceeded at a sensitive receptor, a dust management plan must be submitted to Council for approval within 10 business days of completion of the monitoring.
- f The dust management plan must:
 - i be prepared by a suitably qualified professional;
 - ii provide details of sources of dust and particulate emissions;
 - iii identify the measures and work practices that will be implemented to ensure that the release of dust and particulate matter from construction activities does not cause an 'environmental nuisance' (within the meaning of that term set out in the Environmental Protection Act 1994) at any sensitive receptor stated in schedule 1 of the Environmental Protection (Noise) Policy 2008;
 - iv identify the procedures to be adopted for monitoring and reporting of air emissions;
 - v provide details of complaint response procedures that will be adopted; and
 - vi identify the procedures to be adopted for revision and review of the dust management plan.
- g The approved dust management plan must be complied with and kept on-site at all times.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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13 Haulage access / site management

- a Prior to the commencement of works, the applicant must provide a vehicle barrier along the frontages of the land, to ensure that all vehicles only use crossovers approved by the Chief Executive Officer.
- b Loading/unloading operations must be conducted entirely within the site and vehicles waiting to be loaded/unloaded must also stand within the site.
- c All reasonable methods are to be used to reduce nuisance from dust, noise, vibration, smoke and material tracked onto public roads as a result of hauling and filling operations. Upon receipt of a dust nuisance complaint or notification of a dust nuisance by the Council, the applicant is to take reasonable and immediate action to remedy the dust problem to the satisfaction of the Contributed Assets Inspector.
- d The site must be maintained in a clean and tidy state at all times. Satisfactory arrangements must be made for the collection, storage and disposal of all waste materials.
- e Non-recyclable debris must be transported from the site and disposed of at an approved waste facility. Combustion of any material is not permitted on the subject site without prior approval of Council.
- f The applicant must ensure that gravel access areas to the site, transport dust covers and shake (hose) down areas are in place to control both on-site dust nuisance and contamination of external properties, roadways and receiving waterways.
- g Any damage to property (including pavement damage) is to be rectified to the satisfaction of Council prior to the earlier of Council issuing a letter accepting the works on-maintenance or a request for compliance assessment of the subdivision plan. The surrounding carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the applicant's expense and any such cost are payable prior to the earlier of acceptance of the works on-maintenance or a request for compliance assessment of the subdivision plan.

14 Transport of soil/fill/excavated material

During the transportation of soil and other fill/excavated material:

- a All trucks hauling soil, or fill/excavated material must have their loads secure and covered;
- b Any spillage that falls from the trucks or their wheels must be collected and removed from the site and streets along which the trucks travel, on a daily basis; and
- c Prior to vehicles exiting the site, measures must be taken to remove soil from the wheels of the vehicles to prevent soil and mud being deposited on public roads.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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CAR PARKING AND ACCESS

15 Land Dedication for Road Widening

- a Land shown in Drawing No# T216 – Title: Pearson to Sandy Creek Road – Dated 29/10/2003 – Author: Gold Coast City Council City Transport Branch must be dedicated to Council for road widening purposes. The land dedication must be completed, at no cost to Council and to the satisfaction of the Chief Executive Officer, prior to the commencement of the use the subject of this approval.
- b Land shown in Drawing No# T247 Title: Sandy Creek Road Alignment – Dated 18/11/2005 – Author: Gold Coast City Council City Transport Branch must be dedicated to Council for road widening purposes. The land dedication must be completed, at no cost to Council and to the satisfaction of the Chief Executive Officer, prior to the commencement of the use the subject of this approval.

16 Investigation and Reporting – Sandy Creek Road

The applicant/developer to submit to Council for approval a design for the entire length of Sandy Creek Road in accordance with Council's Planning Scheme Policy 11 – Land Development Guidelines and AUSTRROADS guidelines. Sandy Creek Road is to be designed to a Industrial Collector Street classification, including kerb and channel, associated stormwater drainage works and pavement construction. The design is to be approved by a Registered Professional Engineer of Queensland (RPEQ) prior to formal submission to Council. The design is to be to the satisfaction of the Chief Executive Officer and at no cost to Council.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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17 External Roadworks - Sandy Creek Road

The following external roadworks (including associated stormwater drainage) must be designed and constructed, to the satisfaction of the Chief Executive Officer and at no cost to Council, prior to the commencement of any use, subject to this development approval. All construction associated with the upgrade to Sandy Creek Road must be in accordance to the submitted Council approved design for Sandy Creek Road as required of Condition 14 (titled 'Investigation and Reporting – Sandy Creek Road' as listed above within this decision notice) as part of an Operational Work application. The design and construction of Sandy Creek Road is to be in accordance with Gold Coast Council's Planning Scheme Policy 11 – Land Development Guidelines:

- a Design and construct Sandy Creek Road to a Industrial Collector Street classification for the full frontage of the subject site, including kerb and channel (development side only), associated stormwater drainage works and any required external tapers to the frontage. The pavement construction (including surfacing) and profile requirements must comply with the following:
 - i pavement construction required to achieve a 12.0 metre wide pavement comprising 3.5 metre wide parking lane (development side), 2 x 3.5 metre moving lanes and 1.5 metre shoulder (opposing side to the development).
 - ii where the existing pavement is proposed to be retained and widened to meet the above requirements, the applicant must demonstrate in a development application for operational work (works for infrastructure) accompanied by supporting technical data (e.g. subgrade and existing pavement CBR results, confirmation of existing pavement depth and composition of pavement) that the existing pavement meets Council's current standards as set out in Gold Coast Council's Planning Scheme Policy 11 – Land Development Guidelines in respect of the new road classification (e.g. vertical and horizontal geometry, pavement thickness and pavement composition). If it cannot be demonstrated that the existing pavement meets Council's current standards, the existing pavement must be removed from the road reserve and full pavement width must be constructed to Council's current standards.
 - iii where the existing road is to be improved (e.g. vertical and horizontal geometry), all existing driveways along either side of Sandy Creek Road are to be modified, where required, to comply with the relevant Australian/ New Zealand standards and AUSTROADS guidelines as approved by a Registered Professional Engineer of Queensland (RPEQ).

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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18 External Roadworks - Footpath

- a The applicant must design and construct concrete footpath as follows:
 - i 1.5 metre wide footpath along the development side only.
- b The footpath must be designed and constructed in accordance with Council's Planning Scheme Policy 11 – Land Development Guidelines subject to any variations approved by Council in issuing a development permit for Operational Works for the footpath.
- c The footpath must be constructed prior to the commencement of the use, subject of this development approval.

19 Off-Street Car Parking Facilities

Off-street car parking facilities must be designed and constructed to the satisfaction of the Chief Executive Officer and at no cost to Council, prior to the commencement of the use the subject of the development approval, in accordance with the following:

- a The off-street car parking facilities (including landscaping) must be designed in accordance with:
 - i the plans/drawings referred to in this development approval;
 - ii Car Parking, Access and Transport Integration Constraints Code (Gold Coast City Council Planning Scheme 2003 Version 1.2 amended November 2011); and
 - iii Australian/New Zealand Standards AS/NZS 2890.1:2004 – Parking Facilities – Part 1: Off-Street Car Parking.
- b The off-street car parking facilities must only be used for vehicle parking.
- c The off-street car parking facilities must be drained and sealed to a reasonable standard acceptable to a RPEQ qualified Engineer.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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20 OFF-STREET COMMERCIAL VEHICLE FACILITIES

Off-street commercial vehicle facilities must be designed and constructed to the satisfaction of the Chief Executive Officer and at no cost to Council, prior to the commencement of the use the subject of this development approval, in accordance with the following:

- a The off-street commercial vehicle facilities must be designed in accordance with:
 - i the plans/drawings referred to in this development approval;
 - ii G.C.C.C Planning Scheme (2003, v1.2) – Part 7: Codes – Divisions 3: Constraints Code – Chapter 4: Car Parking, Access and Transport Integration; and
 - iii AS2890.2-2002: Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities.
- b The off-street commercial vehicle facilities must only be used for short term loading and unloading of vehicles.
- c The off-street commercial vehicle facilities must be drained, sealed and line-marked to a reasonable standard acceptable to a RPEQ qualified Engineer.

21 Off-Street Commercial Vehicle Facilities – Loading and Unloading

- a Loading and unloading operations must be conducted wholly within the site.
- b Vehicles waiting to be loaded and unloaded must stand entirely within the site, unless otherwise approved by the Chief Executive Officer.
- c Vehicles must enter and exit the site in a forward gear.

22 Off-Street Bicycle Parking

Off-street bicycle parking spaces must be provided on-site, prior to the commencement of the use the subject of the development approval and maintained to the satisfaction of the Chief Executive Officer, in accordance with the following:

- a AUSTRROADS Guide to Traffic Engineering Practice (1999): Part 14 – Bicycles; and
- b AS2890.3-1993 – Parking Facilities – Part 3: Bicycle Parking Facilities.

23 Off-Street Visitor Car Parking Spaces

Off-street visitor car parking spaces must be clearly identifiable through the provision of appropriate line marking and signage and constructed to the satisfaction of the Chief Executive Officer, prior to the commencement of the use the subject of this development approval.

24 Restrictions – Staff/Employee Numbers

There are to be no more than forty (40) staff/employees on-site at any one time.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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ENVIRONMENTAL REHABILITATION

25 Rehabilitation completion and certification

- a The applicant must undertake the rehabilitation/revegetation works for the areas identified as '10 metre wide buffer along the southern and western boundary' and all areas North and East of common drive way No 1 as detailed on plan being general layout Plan, Drawing # 5539-09-02B, prepared by VKL Consulting and dated 11/10 in accordance with the approved covenant management plan.
- b The applicant must provide to Council, prior to commencement of the use of the premises, certification from a qualified professional that all works/measures in the approved rehabilitation management plan:
 - i Have been implemented on-site; and
 - ii Are properly established following a minimum establishment period of twelve months.

COVENANT AREA – PROHIBITED ACTIVITIES, MANAGEMENT AND COVENANT

26 Covenant Area – prohibited activities

The area described as 'all areas North and East of common drive way No 1 as detailed on plan being general layout Plan, Drawing # 5539-09-02B, prepared by VKL Consulting and dated 11/10' is a covenant area and is for the purpose of preserving native plants and animals. Within the Covenant Area, the following activities must not be undertaken:

- a Clearing, lopping or removal of any native plants, whether existing at the date of this approval or planted pursuant to conditions of this approval;
- b Erection of any fixtures or improvements, including buildings or structures;
- c Construction of any trails or paths;
- d Depositing of any fill, soil, rock, rubbish, ashes, garbage, waste or other material foreign to the protected area;
- e Keeping or permitting the entry of domestic animals or any other animals that are not indigenous to the Covenant Area; and
- f Performance of any other acts which may have detrimental impact on the values of the Covenant Area.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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27 Covenant Area – approved management plan to be complied with

- a The Covenant Area must be managed in accordance with the approved management plan for the Covenant Area ('Covenant Management Plan'), for the life of the development and the use of the premises.
- b The owner must take all reasonable measures to ensure that any person occupying or undertaking any activities within the Covenant Area complies with the Covenant Management Plan.
- c The Covenant Management Plan may be amended with the written agreement of Council but only if the amendment:
 - i Is consistent with the purpose of the covenant (being the statutory covenant required to be registered pursuant to the conditions of this approval);
 - ii Does not alter the covenant area; and
 - iii Does not add or remove a party to the covenant.

28 Preparation of Covenant Area management plan

A covenant management plan must be prepared, detailing all management measures and monitoring to be undertaken in the Covenant Area for the life of the development and the use of the premises so as to ensure the preservation of the environmental integrity of the Covenant Area. The covenant management plan must include the following information:

- a Description of the approved development including a plan showing the location of the covenant areas.
- b Purpose of the document relating to relevant conditions of approval.
- c A description of how the document is to be read, including the purpose of the covenant area and general requirements at each phase of the development (i.e. developer's and landowners' responsibilities as covenantor).
- d Detailed descriptions for the covenant areas including:
 - i Topography;
 - ii Waterways, flow paths, gullies;
 - iii Vegetation communities and significant species;
 - iv Fauna habitat and significant species; and
 - v Other significant features.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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- e Requirements to be fulfilled by the developer (as covenantor) as to the following:
 - i Prohibited and permitted actions during construction;
 - ii Infrastructure requirements (including essential, unavoidable services, stormwater etc);
 - iii Rehabilitation, including summaries of rehabilitation activities (based on the approved Rehabilitation Plan and/or Landscaping Plans) in accordance with Appendix 1 (Guideline for the preparation of a Rehabilitation Plan) of Council's Open Space Management Guidelines: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007: Version 1);
 - iv Maintenance requirements including activities, timeframes and standards to be achieved prior to off-maintenance in accordance with relevant sections of Appendix 1 (Guideline for the preparation of a Rehabilitation Plan) of Council's Open Space Management Guidelines: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007: Version 1);
 - v Monitoring details including baseline data/photographs;
 - vi Compliance/certification.
- f Requirements to be fulfilled by landowners (as covenantors) as to the following:
 - i Purpose of the covenant;
 - ii Prohibited and permitted actions/activities;
 - iii Detailed landowner requirements and responsibilities; and
 - iv Detailed methods relating to maintenance and enhancement of the covenant area, including weed removal methods, revegetation methods and species lists, monitoring requirements and useful resources and contacts.
- g General information, including:
 - i Duration of requirements / responsibilities;
 - ii Information on who to contact for approvals for any activities required that are not permitted within the covenant area;
 - iii Baseline data; and
 - iv Checklists for Council (as the covenantee) to assess compliance with the covenant (including remedial actions for non-compliance).

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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- h The covenant management plan must include and be consistent with:
 - i The approved management and rehabilitation plans for the site and the Covenant Area, including any amendments to those plans required by the conditions of this approval;
 - ii Any stormwater quality management components within the Covenant Area; and
 - iii Full details of any approved landscape plans for the Covenant Area.

29 Compliance assessment of covenant management plan

- a The covenant management plan is a document requiring compliance assessment under the Sustainable Planning Act 2009. A request for compliance assessment must be made in accordance with the Sustainable Planning Act 2009 for a compliance certificate approving the document, in accordance with the following:

Matters or things against which the document must be assessed	The planning scheme's: Conservation Domain Place Code; Natural Wetland Areas and Natural Waterways Constraint Code; and Nature Conservation Constraint Code.
Compliance assessor	Gold Coast City Council
When the request for compliance assessment must be made	Before the earlier of: A development application for operational work (inclusive of change to ground level, works for infrastructure, vegetation clearing/tree works or landscape work); or Any works commencing on-site.

- b The covenant management plan is not an approved plan until a compliance certificate has been issued in respect of it.

30 Compliance certificate with future operational work development applications

A copy of the compliance certificate for the covenant management plan must be provided with any future operational work development applications.

31 Ongoing compliance with the approved covenant management plan

The management measures and monitoring required by the approved covenant management plan and any conditions imposed on the compliance certificate must be complied with for the life of the development and the use of the premises.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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32 Amendment of the covenant management plan

The covenant management plan may be amended with the written agreement of Council but only if the amendment:

- a Is consistent with the purpose of the covenant (being the statutory covenant required to be registered pursuant to the conditions of this approval);
- b Does not alter the covenant area; and
- c Does not add or remove a party to the covenant.

33 Covenant Area – statutory covenant to be registered

At the same time as the lodgement of the subdivision plans, or if no subdivision plans are required, prior to the commencement of the use, an instrument of covenant must be registered on the title/s of the lot/s which contain/s the Covenant Area. The following requirements must be complied with in the preparation and lodgement of the instrument of covenant:

- a The applicant is responsible for the preparation of the instrument of covenant and any necessary subdivision plan to enable registration of the covenant and for lodgement of the covenant for registration.
- b The instrument must be in a form capable of registration pursuant to section 97A(3)(b) of the Land Title Act 1994.
- c The Covenant Area must be shown and identified as a 'Covenant Area' on the face of the subdivision plan in addition to any covenant descriptor (eg. Covenant 'A').
- d Council's standard covenant (Dealing number 711772071) must be used and the applicant must provide a draft of the covenant to Council for written approval.
- e The parties to the covenant are to be the registered owner of the lot (as covenantor) and the Council (as covenantee).
- f The instrument must include a purpose statement that articulates:
 - i That the covenantor acknowledges that the Covenant Area contains native plants and habitat for native animals that should be preserved;
 - ii That the covenant is aimed at directly preserving those features;
 - iii That to ensure the Covenant Area and its values are preserved, it is critical that activities within the Covenant Area are limited and managed to ensure native plants, native animals, their habitat, & associated values are preserved.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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- g The instrument must expressly set out, in full, as obligations of the covenantor each of the individual requirements set out in Condition 23, 24 and 25 of this Decision Notice (under citation A).
- h If the instrument is requisitioned or refused registration by the Registrar of Titles, the applicant shall amend the document to include a covenant/s which, as nearly as practicable, addresses the objective sought to be achieved by this condition. A draft of the amended document is to be provided to Council for written approval.
- i The applicant must provide Council with evidence of the registration of the covenant within 30 days of the registration of the subdivision plan that shows the Covenant Area.

34 Covenant Fence

A fauna friendly fence must be erected at the interface between the works area and covenant area to ensure protection into the future. This fence must be installed prior to commencement of construction of the new layout.

35 Covenant Area - rehabilitation

- a The applicant must undertake and complete all rehabilitation works within the Covenant Area in accordance with Condition 23, 24 and 25 of this Decision Notice (under citation A).

LANDSCAPE WORKS ON PRIVATE LAND

36 Landscaped Buffer

A landscaped buffer for visual screening purposes must be incorporated along the site's frontage with Sandy Creek Road. This buffer must comply with the specific requirements provided below:

- a The buffer must extend from the southern edge of the existing driveway crossover to the southern property boundary;
- b The buffer must extend a depth of twenty (20) metres into the site. A lesser depth will be considered where sufficient evidence is provided to Council of any existing structures or other operational requirements associated with the existing approved use preventing a depth of 20 metres being provided; and
- c The buffer must include dense screen planting to supplement the existing vegetation within this area.

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**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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37 Detailed landscape plan to be submitted for approval in relation to landscaped buffer

- a The applicant must submit to Council for approval a detailed landscape plan, by making a development application for operational work (landscape work). Approval of proposed landscape work must be obtained prior to the earlier of the commencement of operational works (landscaping) or the commencement of the use that is the subject of this approval.
- b Without limiting the requirements of the planning scheme's Landscape Work Specific Development Code, the detailed landscape plan must:
 - i Be prepared by a qualified landscape architect or similar landscape design professional;
 - ii Reflect the approved layout (including any amendments to that layout required by these conditions) and the conditions of this approval; and
 - iii Comply with Planning Scheme Policy 13 – Landscape Strategy Part 2 – Landscape Works Documentation Manual.
- c The required landscaping plan must also demonstrate the following:
 - i In order to ensure the protection of the existing trees within the landscaped buffer, the landscape plan must be designed with consideration to the requirements of Australian Standard 4970 – Protection of Trees on Development Sites.

VEGETATION MANAGEMENT

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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38 Vegetation works OPW application required

This approval does not approve vegetation clearing or damage. Prior to commencement of such works, a development application for operational work (vegetation works) must be made to and approved by Council for any works proposing clearing or damage to any Protected Vegetation. The application must be accompanied by a copy of each of the following plans (and, where a plan has already been approved, that plan must be accompanied by the corresponding approval documentation (ie. decision notice or letter of approval)):

- a The approved MCU / ROL layout plan.
- b The approved bushfire management plan.
- c A tree survey plan for all site vegetation.
- d Plans clearly identifying which vegetation is proposed to be removed and which vegetation is proposed to be retained.
- e A letter from an EPA-approved spotter-catcher together with any necessary fauna management plan or a QPWS-endorsed fauna translocation management plan, as required by condition 11
- f A vegetation management plan.
- g A sediment and erosion control and construction management plan.

For this condition 'Protected Vegetation' is defined as vegetation that is:

- equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level irrespective of the domain or LAP; or
- equal to, or in excess of, four metres in height in the Rural, Park Living or Emerging Communities Domains, Burleigh Ridge LAP, Coomera LAP (Precincts 7, 9 and 10), Coomera Town Centre (Precincts 8, 10 and 11), Currumbin Hill LAP, Eagleby LAP (Precinct 6), East Coomera/Yawalpah Conservation LAP, Guragunbah LAP, Hope Island LAP (Precinct 3), Mudgeeraba Village LAP, Nerang LAP (Precincts 9 and 10), South Stradbroke LAP, Uplands Dr and Woodlands Way LAP, West Burleigh Township LAP or Yatala Enterprise Area LAP.

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**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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B Engagement of and assessment by spotter-catcher

- a Prior to the making of a development application for operational work (vegetation clearing) the applicant must engage a DERM-approved spotter-catcher to assess the site for:

C The presence of native fauna and/or supporting habitat on-site;

D Available adjacent habitat;

E The presence of any fauna that is 'protected wildlife' as defined under the Nature Conservation Act 1992 ('protected wildlife'); and

F The presence of any species that is a 'listed threatened species' under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) ('listed species').

For the purposes of this condition, a 'DERM-approved spotter-catcher' is a person who holds a rehabilitation permit with an extended authority issued by the Department of Environment and Resource Management specifying that the holder may take, keep or use an animal whose habitat is about to be destroyed by human activity.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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G Preparation of fauna assessment / management documentation following assessment by spotter-catcher

H Based on the outcome of the above assessment, the corresponding requirements for which ever one of the following assessment outcomes is applicable must be complied with:

Assessment outcome	Requirements
Spotter-catcher not required	<p>If the spotter-catcher's assessment determines that no suitable habitat or protected wildlife or listed species have been identified, a letter from the spotter-catcher must be obtained, stating:</p> <ol style="list-style-type: none"> 1 The spotter-catcher's credentials; 1 That no suitable habitat or species were identified in the assessment of the site; and 2 The spotter-catcher is of the opinion that it is not necessary for a spotter-catcher to be present during any clearing or damage to vegetation.
Spotter-catcher required – suitable habitat present adjacent to site	<p>If the spotter-catcher's assessment determines that no protected wildlife or listed species are present but that native fauna may be present with suitable habitat existing adjacent to the site, the following requirements must be complied with:</p> <ol style="list-style-type: none"> 1 A fauna management plan ('FMP') must be prepared by a suitably-qualified professional. 1 If the FMP proposes the capture and release and/or management of any fauna that is 'protected wildlife' as defined under the Nature Conservation Act 1992, the following must be provided: <ul style="list-style-type: none"> • evidence of DERM's endorsement of the proposed FMP prior to its submission to Council; or • a statement from DERM as to whether a species-specific Fauna Translocation Management Plan is required.

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**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Spotter-catcher required – protected/listed species present and/or relocation of fauna required	If the spotter-catcher’s assessment determines that any protected wildlife or listed species are present, and/or native fauna are to be relocated, the following requirements must be complied with: <ol style="list-style-type: none"> 1 A letter must be obtained from the spotter-catcher, stating the spotter-catcher’s credentials. 1 A fauna translocation management plan (‘FTMP’) must be prepared. The proposed FTMP must be submitted to DERM for endorsement prior to the proposed FTMP being provided to Council. 2 A letter must be obtained from DERM stating its endorsement of the proposed FTMP prior to the proposed FTMP being provided to Council.
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b The applicable documentation required in accordance with the above must be prepared in accordance with the following requirements:

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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40 Compliance assessment of fauna assessment / management documentation

The applicable fauna assessment / management documentation required by the above condition is documentation requiring compliance assessment under the Sustainable Planning Act 2009. A request for compliance assessment must be made in accordance with the Sustainable Planning Act 2009 for a compliance certificate approving the documentation, in accordance with the following:

Matters or things against which the document must be assessed	The planning scheme's Nature Conservation Constraint Code
Compliance assessor	Gold Coast City Council
When the request for compliance assessment must be made	Before the earlier of: <ul style="list-style-type: none"> • Any future operational work development applications for operational work (vegetation clearing); • Any future operational work development applications; • The pre-start meeting for operational work (tree works); or • Works commencing on-site.

The fauna assessment / management documentation is not approved documentation until a compliance certificate has been issued in respect of it.

I Compliance certificate with future operational work development applications

A copy of the compliance certificate for the FMP / FTMP must be provided prior to the pre-start meeting for operational work (tree works).

J Compliance with FMP / FTMP

All works must be conducted in accordance with the approved FMP or FTMP (as applicable) and any conditions imposed on the compliance certificate.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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K Currency of FMP / FTMP

The currency period of any approval of an FMP or FTMP required by the above conditions will be six months from the date of the issue of the compliance certificate for the amended plan. A fresh plan must be submitted to Council for approval if works are not substantially started within the six-month period.

1 Supervising Project Arborist

The applicant must ensure a suitably experienced and qualified Project Arborist (Minimum AQF Level 5 Arborist) is appointed prior to commencement of any works. The Project Arborist will be responsible for completing certification of tree protection through the various **stages of development**.

2 Propagation

The applicant must provide to council certification of successful propagation of all significant tree species, prior to any works commencing onsite. Certification must include photographs of successful sprouting and a detailed list of success and failure rate from each species.

3 Batters and works

All required batters and works onsite must be retained within the works zone and not impact upon the covenant area.

ON-SITE EFFLUENT DISPOSAL

4 Effluent Disposal

- a All sewerage effluent generated on site must be disposed of in accordance with one of the three options listed below.
 - i Into a septic tank and then to a land application area
 - ii Into a Wastewater Treatment Plant with a Chief Executive Approval and then to a land application area
 - iii Into a holding tank and then trucked off site
- b The applicant must provide an effluent disposal report in accordance with conditions of approval 46 – 48 of this Decision Notice (under citation A) to be approved by Council's Environmental Assessment Branch and Council's Plumbing And Drainage Branch prior to any works commencing onsite.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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5 Preparation of effluent report

- a An effluent report must be prepared in accordance with:
 - i The planning scheme’s Unsewered Land Constraint Code;
 - ii The Australian/New Zealand Standard (AS/NZS 1547:2000) On-site domestic-wastewater management (or the latest accepted industry standard); and
 - iii Conditions of this approval.
- b Any effluent disposal areas proposed in the report must be located no closer than 30 metres from a watercourse and only in areas that do not require further clearing.

6 Compliance assessment of effluent report

The effluent report is a document requiring compliance assessment under the Sustainable Planning Act 2009. A request for compliance assessment must be made in accordance with the Sustainable Planning Act 2009 for a compliance certificate approving the document, in accordance with the following:

Matters or things against which the document must be assessed	The following documents incorporated by reference in the planning scheme’s Unsewered Land Constraint Code : <ul style="list-style-type: none"> • Department of Natural Resources and Mines On-site Sewerage Code; • Australian and New Zealand Standard AS/ANZ 1547:2000 – On-site Domestic Wastewater Management; • Council’s Guidelines for the Installation and Operation of Aerobic Wastewater Treatment Plants for Domestic and Small Scale Commercial Users; and • Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC & ARMCANZ) 2000.
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ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Compliance assessor	Gold Coast City Council
When the request for compliance assessment must be made	Prior to the earlier of: <ul style="list-style-type: none"> • Any request for compliance assessment of the subdivision plan; • The earlier of any future development application for operational work or any works commencing on-site; and • Commencement of use of the site or issue of certificate of classification.

The effluent report is not an approved report until a compliance certificate has been issued in respect of it.

7 Compliance certificate with future operational work development applications

The compliance certificate for the effluent report must be provided with any future operational work development applications or requests for compliance assessment of subdivision plans.

8 Consistency and compliance with the effluent report

- a Applications for approval of on-site sewerage work must be consistent with the approved report and any conditions imposed on the compliance certificate.
- b The location and manner of on-site effluent disposal must be carried out in accordance with the approved report and any conditions imposed on the compliance certificate.

HYDRAULICS AND STORMWATER MANAGEMENT

9 No worsening of hydraulic conditions

The development must be designed and constructed so as to result in:

- a No increase in peak flow rates downstream from the site; and
- b No increase in flood levels external to the site; and
- c No increase in duration of inundation external to the site that could cause loss or damage.

10 Alteration of overland flow paths

Overland flow paths on the site must not be altered in a way that inhibits or alters the characteristics of existing overland flows on other properties or that creates an increase in flood damage on other properties.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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11 Stormwater quantity management plan to be complied with

- a The applicant must submit certification from a Registered Professional Engineer Queensland (RPEQ) specialised in stormwater management confirming that all works have been carried out and completed in accordance with the approved stormwater management plan, being "Stormwater Quantity Management Plan for the proposed Advanced Waste Treatment Facility" prepared by The LZ Environmental Company Pty Ltd.
- b The certification must be submitted prior to the commencement of the use of the premises.

12 Stormwater quality management plan to be complied with

- a The applicant must submit certification from a Registered Professional Engineer Queensland (RPEQ) specialised in stormwater management confirming that all works have been carried out and completed in accordance with the approved stormwater management plan, being "Stormwater Quality Management Plan for the proposed Advanced Waste Treatment Facility" prepared by The LZ Environmental Company Pty Ltd.
- b The certification must be submitted prior to the commencement of the use of the premises.

13 Re-use of stormwater

- a The applicant must ensure that as far as practicable, rainwater is collected and reused for irrigation purposes, toilet flushing, washing, etc.
- b The applicant is responsible for securing any necessary approvals to ensure such collection and reuse of rainwater is undertaken lawfully.
- c Adequate engineering devices must be provided to minimise nuisance flows into adjacent properties (field inlet in landscaping, overflow bypass connected to a legal point of discharge, etc).

14 Hardstand areas graded towards landscape areas

All hardstand areas must be graded towards landscape areas to promote infiltration of stormwater runoff. No impervious runoff is to be diverted to Council's drainage system without proper treatment.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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EROSION AND SEDIMENT CONTROL

15 Erosion and sediment control

- a Sediment, erosion and dust control measures must be implemented in accordance with approved report, being “Stormwater Quality Management Plan for the proposed Advanced Waste Treatment Facility” prepared by The LZ Environmental Company Pty Ltd and the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008). Additional sediment, erosion and dust control measures must be implemented as directed by Council officers upon site inspection.
- b Sediment control structures (e.g. sediment fence) must be placed at the base of all materials imported on-site to trap any sediment runoff.
- c The following inspection program must be carried out until the site is fully rehabilitated:
 - i Regular inspections to ensure that adequate erosion control measures are in place and in good condition both during and after construction; and
 - ii Inspections after each storm event to assess the adequacy of the erosion control measures. The applicant must rectify any damage or non-performing erosion control devices and clean up any sediment that has left the site or is on the roads within and external to the site.
- d All water from the site must be directed through a sediment pond (or other appropriate devices) prior to leaving the site. The sediment ponds or other devices are to be maintained in good condition until the site is fully rehabilitated.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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BUSHFIRE MANAGEMENT

16 Complete Bushfire Management Plan

The complete Bushfire Management Plan, the BMP, shall consist of the plan submitted by the applicant, the QFRS Bushfire Planning Cover Sheet and any fire safety material included by the bushfire consultant or QFRS.

17 Recommendations considered as requirements and conditions of approval

All of the recommendations, that are made in response to the performance criteria by the bushfire consultant or QFRS should be considered as requirements and conditions of approval for this application unless otherwise stated in writing by the Gold Coast City Council.

18 Changes to lot layout, street layout and building envelopes in the BMP may void the recommendations

The conditions and recommendations made are based on the lot layout, street layout and building envelopes in the BMP referred to above. Changes to these or other factors may affect the safety of the development and may void the recommendations contained in this report.

19 Amendments require approval

In the event of such changes, an amended Bushfire Management Plan that takes into account the changes may be required. Any such amended plan may be subject to further assessment, which may or may not result in recommendation for approval.

20 25,000l water tank

A 25,000l water tank, that complies with the standards as set out in the Gold Coast Planning Scheme, is required to be constructed on site to provide water for fire fighting purposes in an emergency.

21 Common driveway to be maintained as a fire trail

The common driveway that runs around the perimeter of the site is to be maintained at all times as a fire trail.

22 Obtain a copy of the complete approved Bushfire management Plan

The applicant is to obtain a copy of the complete approved Bushfire management Plan as described above from council. This and only this is the plan that is to be complied with and distributed to all landowners.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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GEOTECHNICAL

23 Geotechnical report to be complied with

All earthworks, including site preparation, cut/fill batters, fill placement and compaction over the subject site, must be carried out in accordance with the advice and recommendations of the geotechnical report: "Stability Assessment of Proposed Earthworks, Lot 1 on RP158997, 126 Sandy Creek Road, Yatala", prepared by Morrison Geotechnic Pty Ltd, Ref. Job No: GE10/093, dated December 2010.

24 Certification of batters long-term factor of safety

Immediately after completion of all bulk earthworks, the applicant must submit to Council certification from a Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering confirming that all constructed cut/fill batters on the site have achieved adequate stability with a long-term factor of safety greater than or equal to 1.5 against geotechnical failures.

25 Geotechnical certification of completed works

Immediately after completion of all bulk earthworks, the applicant must submit to Council certification from a Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering confirming that all earthworks have been carried out in accordance with the advice and recommendations of the geotechnical report: "Stability Assessment of Proposed Earthworks, Lot 1 on RP158997, 126 Sandy Creek Road, Yatala", prepared by Morrison Geotechnic Pty Ltd, Ref. Job No: GE10/093, dated December 2010; and that these works will not cause any instability during the design lifetime of the use of the premises.

WASTEWATER

26 Wastewater reticulation

- a The development must be connected to Council's Water's reticulated wastewater system within six months of when the system becomes available, at no cost to Council.
- b The size of the property service connection shall be 150mm in accordance with the Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings.
- c Private sewerage reticulation works within the site must be designed and constructed in accordance with the requirements of the Plumbing and Drainage Act 2002.
- d The applicant is responsible for any external works necessary to connect to Council's live reticulation system once it becomes available.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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27 Design, construction and standard of wastewater reticulation

The design, construction and standard of the required wastewater reticulation infrastructure to be carried out by the applicant (including all wastewater reticulation infrastructure to be dedicated to Council) must be in accordance with Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings.

28 Connection point

- a The existing 525mm wastewater gravity main in Darlington Drive via proposed 300/525 wastewater gravity main, to be constructed adjacent to the property must be used as the connection point, unless otherwise approved by Gold Coast Water.
- b The development shall connect to the proposed wastewater main within six months of the service becoming available to the Applicant.
- c In the interim, until the proposed permanent wastewater services become available:
 - i the applicant, at its cost, may use on-site wastewater treatment and disposal processes, as determined and approved by Council's Plumbing and Drainage Section;
 - ii any interim wastewater servicing arrangements shall be in accordance with the relevant Plumbing and Drainage regulations; and
 - iii the number of employees shall not exceed 40.

29 Connections – arrangements with Gold Coast Water

All live connections to the existing wastewater main are to be performed by Gold Coast Water at the applicant's cost. The applicant must liaise with Gold Coast Water's Field Services and Construction Branch (phone 5581 7564) to make arrangements for the connection and to obtain a quotation for the work.

30 Completion of external wastewater connections

All external wastewater connections (including the completion of all infrastructure downstream of the development site to the point of connection and approved augmentation works) must be completed prior to certification of classification or commencement of uses, whichever occurs first.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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WATER SUPPLY RETICULATION

31 Dual water supply reticulation (potable and recycled)

The development must be connected to Council's Water's dual water reticulation system prior to commencement of use, at the Applicant's cost.

32 Design, construction and standard of water supply reticulation

The design, construction and standard of the required water supply reticulation infrastructure to be carried out by the applicant (including all water supply reticulation infrastructure to be dedicated to Council) must be in accordance with Gold Coast City Council Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings.

33 Connection point

- a The existing 150mm potable main in Sandy Creek Road must be used as the potable water supply connection point, unless otherwise approved by Gold Coast Water.
- b The proposed recycled water main in Sandy Creek Road must be used as the recycled water supply connection point, unless otherwise approved by Gold Coast Water.
- c The developer shall provide cross connection to the potable water main until the recycled water reticulation becomes available. Council will remove the cross connection at a later date.
- d Where mains exist on the opposite side of the street, conduits are required to be installed to service the proposed development by thrust boring the road (open cutting of the road is not permitted).

34 Completion of external connections

- a Applicant shall construct a 150mm potable water main from the boundary of Lot 2 on RP158997 and Lot 1 on RP158997, along Sandy Creek Road for the full frontage of the development site at applicant's cost prior to commencement of use of the premises.
- b In the event , if there is a delays by others in providing the 150mm main at the above boundary in a timely manner, the applicant shall undertake such works (PN131873/13/DA7- Condition 93), at applicant's cost, unless otherwise approved by Gold Coast Water.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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35 Operational work (works for infrastructure) application required

The applicant must obtain a development permit for operational work (works for infrastructure) for any works (including augmentations) where the water infrastructure assets are to be owned and/or maintained by Council.

36 Installation of property service, dual water box, and meters

The applicant must, prior to commencement of use of the premises :

- i Provide property service and dual water meter box to the boundary of the development site in accordance with Gold Coast City Council Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings; and
- ii All works shall comply with Clause 4.2.7 of Gold Coast City Council Planning Scheme Policy 11 – Land Development Guidelines.

37 Supply standard

The applicant must provide water supply to the standard specified in Section 7 of Council's Land Development Guidelines.

38 Fire loading

Fire loading must not exceed 30L/s for commercial and industrial uses.

39 Rainwater tanks – dual reticulated water supply regions

To achieve water savings targets in dual reticulated water supply regions all:

- a "Commercial Building" or "Non-residential Building"

must meet the requirements of Clause 7.3.2.4 (Rainwater Tanks) of Planning Scheme Policy 11- Land Development Guidelines 2005 as amended from time to time.

REFERRAL AGENCY CONDITIONS

40 Concurrence agency conditions

The applicant must comply with the conditions set out in the attached correspondence from the following concurrence agencies:

- a Concurrence Agency – Department of Transport and Main Roads – Referral Agency Reference tmw-tmw.204L1RP15899710544, dated 25 January 2010.
- b Concurrence Agency – Department of Environment and Heritage Protection – Referral Agency Reference SOR/113055, dated 19 November 2012.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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SECTION B CHANGE TO GROUND LEVEL

NATURE OF DECISION

L Council approves the issue of a development permit for the following operational work assessable under the planning scheme:

1 Operational work (change to ground level)

All other aspects of assessable operational work are not approved by this approval.

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/ BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1 PN131872/13/DA2

M The approval is subject to the following conditions:

APPROVED PLANS/DRAWINGS

1 Development to be generally in accordance with specified plans/drawings as amended in red

- a The development must be carried out generally in accordance with the approved plans/drawings listed below, as amended in red, stamped and returned to the applicant with this decision notice.

Plan No.	Rev.	Title	Date	Prepared by	Certified By
5532-09-01	A	Title Sheet		VKL Consulting	RPEQ 1421
5532-09-02	B	General Layout Plan	11/10	VKL Consulting	RPEQ 1421
5532-09-03	B	Typical Sections & Details	12/10	VKL Consulting	RPEQ 1421
5532-09-04	B	Site Cross Sections Sheet 1 of 2	12/10	VKL Consulting	RPEQ 1421
5532-09-05	B	Site Cross Sections Sheet 2 of 2		VKL Consulting	RPEQ 1421
5532-09-06	A	Common Driveway No.1 Longitudinal Section CH00 - 700	11/10	VKL Consulting	RPEQ 1421
5532-09-07	B	Common Driveway no.1 & No.2 Longitudinal and Cross Sections	11/10	VKL Consulting	RPEQ 1421
5532-09-08	A	Stormwater Drainage Concept & Erosion Control Layout	11/10	VKL Consulting	RPEQ 1421
5532-09-09	A	Layout Plan Sheet 1 of 2	11/10	VKL Consulting	RPEQ 1421
5532-09-10	A	Layout Plan Sheet 2 of 2	11/10	VKL Consulting	RPEQ 1421
5532-09-11	B	Detailed Site Cross Sections Sheet 1 of 4	12/10	VKL Consulting	RPEQ 1421
5532-09-12	B	Detailed Site Cross Sections Sheet 2 of 4	12/10	VKL Consulting	RPEQ 1421
5532-09-13	B	Detailed Site Cross Sections Sheet 3 of 4	12/10	VKL Consulting	RPEQ 1421
5532-09-14	B	Detailed Site Cross Sections Sheet 4 of 4	12/10	VKL Consulting	RPEQ 1421

Drawings as approved above are to be amended as necessary to comply with any conditions contained within the MCU/ROL component of this approval.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Information note: A change to the approved work will be taken to be generally in accordance with the approved plans/drawings for the purpose of this condition if:

- i the approved work is of a type specified in Attachment 1 – Acceptable Tolerances; and
- ii the change is within the acceptable tolerances specified for that type of work in condition titled ‘Construction phase - Attachment 1 – Acceptable Tolerances’ contained within this Operations Works Decision Notice; and
- iii the change does not cause the development to contravene any other conditions of this approval or conditions of any related material change of use or reconfiguring a lot approval.

If the change is not within the acceptable tolerances in Attachment 1 – Acceptable Tolerances but the Applicant is of the view that the change is generally in accordance with the approved plans/drawings, the Applicant can submit a Generally in Accordance with Request to Council, for Council’s assessment.

2 Changes requiring further approval

Changes to the approved design that are not generally in accordance with the approved plans/drawings require approval in accordance with the Sustainable Planning Act 2009.

Information note: The Sustainable Planning Act 2009 sets out the procedures for changing approvals where the change can be classified as a permissible change. If the change is not a permissible change, a new development approval is required.

3 Decision notice and approved plans/drawings to be retained on-site

A copy of this decision notice and stamped approved plans/drawings must be retained on site at all times. This decision notice must be read in conjunction with the stamped approved plans to ensure consistency in construction, establishment and maintenance of approved works.

4 Resolution of conflict between conditions and plans

Where a conflict occurs between the conditions of this approval and the stamped approved engineering drawings, the conditions of this approval shall take precedence.

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1 PN131872/13/DA2

CONSTRUCTION MANAGEMENT

5 Haulage access / site management

- a Prior to the commencement of works, the applicant must provide a vehicle barrier along the frontages of the land, to ensure that all vehicles only use crossovers approved by the Chief Executive Officer.
- b Loading/unloading operations must be conducted entirely within the site and vehicles waiting to be loaded/unloaded must also stand within the site.
- c All reasonable methods are to be used to reduce nuisance from dust, noise, vibration, smoke and material tracked onto public roads as a result of hauling and filling operations. Upon receipt of a dust nuisance complaint or notification of a dust nuisance by the Council, the applicant is to take reasonable and immediate action to remedy the dust problem to the satisfaction of the Contributed Assets Inspector.
- d The site must be maintained in a clean and tidy state at all times. Satisfactory arrangements must be made for the collection, storage and disposal of all waste materials.
- e Non-recyclable debris must be transported from the site and disposed of at an approved waste facility. Combustion of any material is not permitted on the subject site without prior approval of Council.
- f The applicant must ensure that gravel access areas to the site, transport dust covers and shake (hose) down areas are in place to control both on-site dust nuisance and contamination of external properties, roadways and receiving waterways.
- g Any damage to property (including pavement damage) is to be rectified to the satisfaction of Council prior to the earlier of Council issuing a letter accepting the works on-maintenance or a request for compliance assessment of the subdivision plan. The surrounding carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the applicant's expense and any such cost are payable prior to the earlier of acceptance of the works on-maintenance or a request for compliance assessment of the subdivision plan.

6 Transport of soil/fill/excavated material

During the transportation of soil and other fill/excavated material:

- a All trucks hauling soil, or fill/excavated material must have their loads secure and covered;
- b Any spillage that falls from the trucks or their wheels must be collected and removed from the site and streets along which the trucks travel, on a daily basis; and
- c Prior to vehicles exiting the site, measures must be taken to remove soil from the wheels of the vehicles to prevent soil and mud being deposited on public roads.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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7 Water usage

The use of potable water is not permitted in activities associated with road and pavement construction, the compaction of fill material or dust suppression. The use of recycled water is encouraged, especially where other alternative sources do not exist. Where recycled water is proposed to be used:

- a The use of the recycled water must be in accordance with the requirements of the Allconnex Water Recycled Water Management Plan (RWMP), which sets out the requirements for transport and use of recycled water;
- b The applicant must first complete the Recycled Water User Operator Training with Allconnex Water, in accordance with the RWMP. Proof of completion of the training course will be by issue of a valid certification card;
- c The applicant can only contract to use a recycled water carrier who is accredited and certified by Allconnex Water. Accreditation requires a current authorised agreement between the water carrier and Allconnex Water; and
- d The water carrier is only allowed to employ certified tanker operator/drivers, who have completed the recycled-water training course with Allconnex Water and hold a valid certification card.

Information note:

To obtain a copy of the management plan and also to obtain a list of approved water carrier operators, the applicant should contact Allconnex Water: Senior Officer Recycled Water ph. (07) 5582 8422 Allconnex Water ph. 1300 366 692.

Potable water is defined as water treated to drinking water standards (NHMRC guidelines 1996) and being available in Councils normal reticulated potable water supply system. Recycled water is defined as treated wastewater in class A+, A B or C in accordance with the Public Health Regulations (NO1) 2008.

8 Workplace health and safety

The Workplace Health and Safety Act 1995 and AS 1742 Manual of Uniform Traffic Control Devices must be complied with in carrying out the works, including ensuring safe traffic control and safe public access in respect of works being conducted on a road.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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EARTHWORKS DESIGN AND MANAGEMENT

9 Compliance with Australian Standards

- a The earthworks must be carried out in accordance with AS 3798-1996 Guidelines on earthworks for commercial and residential developments.
- b Supervision of bulk earthworks must be to Level 1 and the frequency of field density testing must be in accordance with Table 8.1 of AS 3798-1996.
- c Material must be placed in layers, watered and compacted to achieve the specified density ratio as monitored in Table 5.1 - Guidelines for Minimum Relative Compaction of AS 3798-1996.

10 Cut and fill batters - design and construction

- a Cut/fill batters must be constructed in accordance with section 3.2.7 of Planning Scheme Policy 11 - Land Development Guidelines, Standard Specifications and Drawings.
- b Batters must not straddle any lot boundaries. Where batters are associated with a private lot, they must be contained wholly within the lot and must not extend into existing or proposed public open space and/or bushland reserve. Where batters are proposed along the interface of a road and a park, the batter must be contained wholly within either the road reserve or park reserve, as approved by the Chief Executive Officer or as required by conditions of this approval.

11 Stabilisation of batters

All batters are to be stabilised within 10 days of the completion of bulk earthworks. Stabilisation techniques may include hydro mulching, returfing, erosion resistant blankets etc.

12 Erosion and sediment control

- a Sediment, erosion and dust control measures must be implemented in accordance with the approved plans/drawings and the Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction Sites (The Institution of Engineers, Australia Queensland Division June 1996). Additional sediment, erosion and dust control measures must be implemented as directed by Council officers upon site inspection.
- b All lots and or disturbed areas must be adequately vegetated and action taken to prevent erosion from wind and/or water to the satisfaction of the Chief Executive Officer.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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- c Immediately after completion of the construction of an open drain:
 - i The open drain must be turfed, unless approved otherwise in a Council approved stormwater management plan; and
 - ii A turf strip must be placed at 90 degrees to the invert every 10 metres to prevent scouring along the turf edge. Reinforced turf must be used where invert grades exceed 5%.
- d Sediment control structures (eg sediment fence) must be placed at the base of all materials imported on-site to trap any sediment runoff.
- e The following inspection program must be carried out until the site is fully rehabilitated and accepted by Council 'Off Maintenance':
 - i Regular inspections to ensure that adequate erosion control measures are in place and in good condition both during and after construction; and
 - ii Inspections after each storm event to assess the adequacy of the erosion control measures. The applicant must make good any damage or non-performing erosion control devices and clean up any sediment that has left the site or is on the roads within and external to the site.
- f To minimise unvegetated areas:
 - i Construction activities must be staged;
 - ii Filled areas must be seeded immediately on completion; and
 - iii No area should remain exposed (unvegetated) for more than 2 weeks unless construction work is being undertaken on that area.
- g All water from the site, including dewatering discharge, must be directed through a sediment pond (or other approved devices) prior to leaving the site. The sediment ponds or other approved devices are to be maintained in good condition until the later of the works being accepted by Council 'Off Maintenance' or the site is fully rehabilitated.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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13 Removal of excess fill

Where it is proposed to remove excess fill from the site, the following information must be provided to the Contributed Assets Inspector for approval prior to the commencement of works:

- a The amount of fill to be removed;
- b The location of the spoil site; and
- c The proposed haul route.

14 Vibratory compaction equipment

If the use of vibratory compaction equipment within 100 metres of any building or structure is proposed, the applicant must implement appropriate construction procedures including monitoring and the undertaking of building inspection reports.

15 Safety fences, barriers and guard railing

The applicant must, prior to the earthworks being accepted 'On Maintenance', install adequate safety fences, barriers and guard railing to ensure any reasonably foreseeable risk of injury arising from the earthworks or potential for tampering with the earthworks are minimised as far as reasonably practicable.

HYDRAULICS

16 No worsening of hydraulic conditions

The development must be designed and constructed so as to result in:

- a No increase in peak flow rates downstream from the site; and
- b No increase in flood levels external to the site; and
- c No increase in duration of inundation external to the site that could cause loss or damage.

17 Alteration of overland flow paths

Overland flow paths on the site must not be altered in a way that inhibits or alters the characteristics of existing overland flows on other properties or that creates an increase in flood damage on other properties.

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1 PN131872/13/DA2

RELATIONSHIP WITH OTHER APPROVALS/REQUIREMENTS

18 Consistency with MCU/ROL

This operational work application has been assessed having regard to the conditions of MCU/ROL development approval as at the date of application. Should any change to the conditions of the MCU/ROL development approval be made, additional or amended plans must be submitted for approval as necessary to comply with such conditions.

19 Compliance with related development approvals

Conditions of all related development approvals and all approved documentation (including but not limited to plans, drawings and reports) for this site must be complied with.

20 Encroachment of works on adjoining land

If any works the subject of this approval encroaches on adjoining land, the applicant must submit to Council, prior to the start of the works, a letter from the owner of the adjoining land consenting to the carrying out of those works.

21 Riverine protection permit

No works are to commence in the watercourse traversing/adjoining the site until the applicant has obtained a Riverine Protection Permit under the Water Act 2000 for the required works, or has demonstrated to Council that the Department of Natural Resources and Water does not require a Riverine Protection Permit for these works.

WORKS – COMPLIANCE

22 Compliance with Land Development Guidelines, Specifications and Drawings

Unless otherwise expressly specified in these conditions, all work the subject of this approval must be designed, constructed and maintained in accordance with:

- a Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings.

23 Certification of compliance

All works to be accepted as being practically complete must be certified by the certifying Registered Professional Engineer Queensland (RPEQ) as being generally in accordance with the approved plans/drawings. This includes changes made during the construction period which are within the acceptable tolerances in Attachment 1 – Acceptable Tolerances or otherwise properly characterised as being 'generally in accordance with' the approved plans/drawings. Such certification must be submitted to Council prior to the earliest of the endorsement of survey plans, the commencement of the 'On Maintenance' period or the commencement of use.

For this condition, the Certifying RPEQ is the RPEQ (or his nominated representative) as notated within the approved drawing list above.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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PROGRESS OF WORKS – KEY NOTIFICATIONS, INSPECTIONS & MAINTENANCE

24 Key notifications, inspections & maintenance

Without limiting the requirement for compliance with Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings, the following key notifications, inspections and maintenance must be complied with.

25 Prior to works commencing

- a The applicant must notify Council of:
 - i Name of the Consultant's representative;
 - ii Name of the Contractor and its representative;
 - iii Pursuant to the Workplace Health and Safety Act 1995, name of the Principal Contractor.
- b The applicant must successfully complete a pre-start inspection with Council officers:
 - i The inspection must be booked through Council's Contributed Assets Inspection Section on (07) 5582 8052.
 - ii All outstanding/unsatisfactory items identified on Council's pre-start checklist must be attended to and checked to Council's satisfaction, prior to works commencing.

26 During works

- a The applicant must successfully complete the inspections relevant to particular work in accordance with Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings and/or as required by conditions of this approval. The inspections must be booked through Council's Contributed Assets Inspector for the area, Joe Ambrose (5582 8298).
- b The applicant must allow inspections to be undertaken by Council officers from time to time to ensure compliance with the conditions of this approval. All outstanding/unsatisfactory items identified as a result of an inspection must be attended to and checked to Council's satisfaction, in accordance with the timeframes and requirements indicated on the record of inspection, including variations and/or additions to the approved plans/drawings required as a result of insufficient detail on the plans/drawings or to ensure that compliance with the conditions of this approval and good engineering practice is achieved.
- c Work must not progress until successful completion of each inspection.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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27 Completion of works – plans/drawings

At the completion of works, a full set of the final design drawings that notate all 'generally in accordance with' changes (whether being within acceptable tolerances in Attachment 1 – Acceptable Tolerances or otherwise properly characterised as being 'generally in accordance with'), are to be provided to Council for records purposes in conjunction with any as constructed submission or prior to the earliest of the endorsement of survey plans, the commencement of the 'On Maintenance' period or the commencement of use.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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28 Following practical completion

- a Following practical completion, the notification, inspection and maintenance requirements set out in the table below that are applicable to the type(s) of operational work the subject of this approval must be complied with.
- b Each applicable requirement in the table below must be carried out in accordance with the details (including timeframes) set out in:
 - i Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings; and
 - ii Where a bond agreement applies, the terms of the bond agreement; and
 - iii Conditions of this approval.
- c Where an inspection is not passed, the applicant must attend to all outstanding/unsatisfactory items and book a re-inspection with Council.

KEY NOTIFICATION, INSPECTION AND MAINTENANCE REQUIREMENTS

	Change to ground level	Works for infrastructure	Landscaping of public open space
The applicant must notify Council of practical completion by booking of inspection.	Applies		
A Pre Establishment period inspection must be undertaken with Council officers.	N/A		
The applicant must obtain GCCC notification of formal acceptance of start establishment period.	N/A		
The applicant must establish the works for the duration of the Establishment period.	N/A		

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIO MASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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A Pre On Maintenance period inspection (also known as a practical completion inspection) must be undertaken with Council officers.

Applies

Combined on/off maintenance inspection.

For assets coming under Council Control the applicant must, prior to those assets being accepted as On Maintenance by Council, submit and have approved all:

Applies

- 1 as constructed data and other documentation referred to in the GCCC As Constructed Data Submission Form;
- 1 test results;
- 2 certifications; and
- 3 any bonds and agreements required by conditions of approval and/or Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings,

to Council's satisfaction.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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The applicant must obtain GCCC notification of formal acceptance of start of On Maintenance period.	Applies Combined GCCC notification on/off maintenance.
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The applicant must maintain the works for the duration of the On Maintenance period.	N/A
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The applicant must book a Pre Off Maintenance inspection (also known as a final defects liability inspection).	N/A
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A Pre Off Maintenance inspection (also known as a final defects liability inspection) must be undertaken with Council officers.	N/A
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The applicant must obtain GCCC notification of formal acceptance Off Maintenance.	N/A
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RELEVANT PERIOD

41 Relevant Period

Please note that Pursuant to section 342 of the Sustainable Planning Act 2009, this Operational Works approval, if not substantially started will lapse on 2 years from the date of this approval (i.e. the relevant period).

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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CONSTRUCTION PHASE

29 Construction phase - Attachment 1 – Acceptable Tolerances

During the construction phase any works that are not in accordance with the development approval requires amended drawings to be submitted unless within the following specified construction tolerances.

1 Bulk Earthworks

Certification of the approved Engineering Drawings is sufficient provided the works meet the following minimum tolerances and parameters:

Earthworks General

Finished Surface Level	±150mm (not to be less than the adopted flood level)
Horizontal Alignment	150mm
The Constructed Minimum Crossfall	Is not less than 1 in 200
The Finished Surface Level	Any variations of ±150mm are approved by Council
Specific Job Tolerances have been met	

Batters

Batter Slopes	Are not steeper than 1 in 6 in parklands or 1 in 4 in allotment areas
Batter Encroachment	Batters must not straddle allotment boundaries or extend into existing or proposed parkland or bushland reserves

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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Retaining Structures

Vertical Alignment	±150mm
Horizontal Alignment	150mm
Retaining Structure Encroachment	Retaining structures do not straddle allotment boundaries

ADVISORY NOTES TO APPLICANT

N Referral agencies

The referral agencies (and their addresses) for the application are listed below.

Any referral agency conditions are identified in the conditions of approval.

Referral agency	Address	Jurisdiction
Department of Transport & Main Roads	PO Box 442 NERANG QLD 4211	Concurrence Agency – State controlled road matters
Department of Emergency Services	CHEM Unit GPO Box 1425 BRISBANE QLD 4001	Concurrence Agency - Major Hazard Facility
Department of Environment & Heritage Protection	GPO Box 15155 CITY EAST QLD 4002	Concurrence Agency - Environmentally Relevant Activities
Department of Environment & Heritage Protection	GPO Box 15155 CITY EAST QLD 4002	Advice Agency – Referrable Wetland

O Properly made submissions

There were properly made submissions about the application. The name and address of the principal submitter for each properly made submission is attached to the decision notice.

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**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
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P Rights of appeal

The applicant has a right of appeal to the Planning and Environment Court regarding this decision, pursuant to section 4.1.27 of the Integrated Planning Act 1997. A copy of that section is attached to the decision notice.

For particular material changes of use, an appeal can also be made to a Building and Development Committee. Please refer to the prerequisites in sections 519 and 522 of the Sustainable Planning Act 2009, attached to this decision notice, to determine whether you have appeal rights to a Building and Development Committee.

Submitters who made properly made submissions have a right of appeal to the Planning and Environment Court regarding this decision, pursuant to section 4.1.28 of the Integrated Planning Act 1997. A copy of that section is attached to the decision notice.

ITEM 1 (Continued)

**MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2) (A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1
PN131872/13/DA2**

Q Applicant responsibilities

The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws.

Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for:

- a Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration;
- b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the Environmental Protection Act 1994 of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity');
- c Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval);
- d Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes;
- e Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works exceeds \$80,000. Acceptable proof of payment is a Q.Leave – Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational Works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; and
- f Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.

ITEM 1 (Continued)

MATERIAL CHANGE OF USE (IMPACT ASSESSABLE) FOR INDUSTRY (ADVANCED WASTE TRANSFER FACILITY/BIOMASS POWER GENERATION PLANT), BULK GARDEN SUPPLIES, OPERATIONAL WORKS (CHANGE TO GROUND LEVEL) AND ENVIRONMENTALLY RELEVANT ACTIVITIES ERA 8 – CHEMICAL STORAGE, ERA 14(2)(A) – ELECTRICITY GENERATION, ERA 33 – CRUSHING, MILLING, GRINDING OR SCREENING, ERA 53 – COMPOSTING AND SOIL CONDITIONER MANUFACTURING, ERA 55 – REGULATED WASTE RECYCLING OR REPROCESSING, ERA 56 – REGULATED WASTE STORAGE, ERA 58 – REGULATED WASTE TREATMENT, ERA 62 – WASTE TRANSFER STATION OPERATION - LOT 1 ON RP158997 126 SANDY CREEK ROAD YATALA - DIVISION 1 PN131872/13/DA2

R Indigenous cultural heritage legislation and duty of care requirement

The Aboriginal Cultural Heritage Act 2003 ('AHCA') is administered by the Department of Environment and Resource Management (DERM). The AHCA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:

- a Is not negated by the issuing of this development approval;
- b Applies on all land and water, including freehold land;
- c Lies with the person or entity conducting an activity; and
- d If breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care.

Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the AHCA.

The applicant should contact DERM's Cultural Heritage Coordination Unit on (07) 3238 3838 for further information on the responsibilities of developers under the AHCA.

S Greenhouse gas emissions

As part of Council's commitment to reducing greenhouse gas emissions Council is encouraging the expansion of the natural gas reticulation network. In particular, the use of natural gas hot water systems will result in significantly less greenhouse gas emissions than equivalent electric storage hot water systems.

The applicant should contact the local natural gas reticulator (APA Group) to arrange an assessment of the suitability of the proposed development for connection to the existing gas reticulation network. Please contact Ramon O'Keefe on 0438708798 or email: ramon.o'keefe@apa.com.au.

T Infrastructure charges

Infrastructure contribution policies for the Water, Wastewater, Recreation, Stormwater and Transport Networks are no longer applicable and therefore monetary contribution conditions for these networks are no longer included in the decision notice. Infrastructure charges are now levied under an Adopted Infrastructure Charges Resolution by way of an infrastructure charges notice, which accompanies this decision notice.

Author:

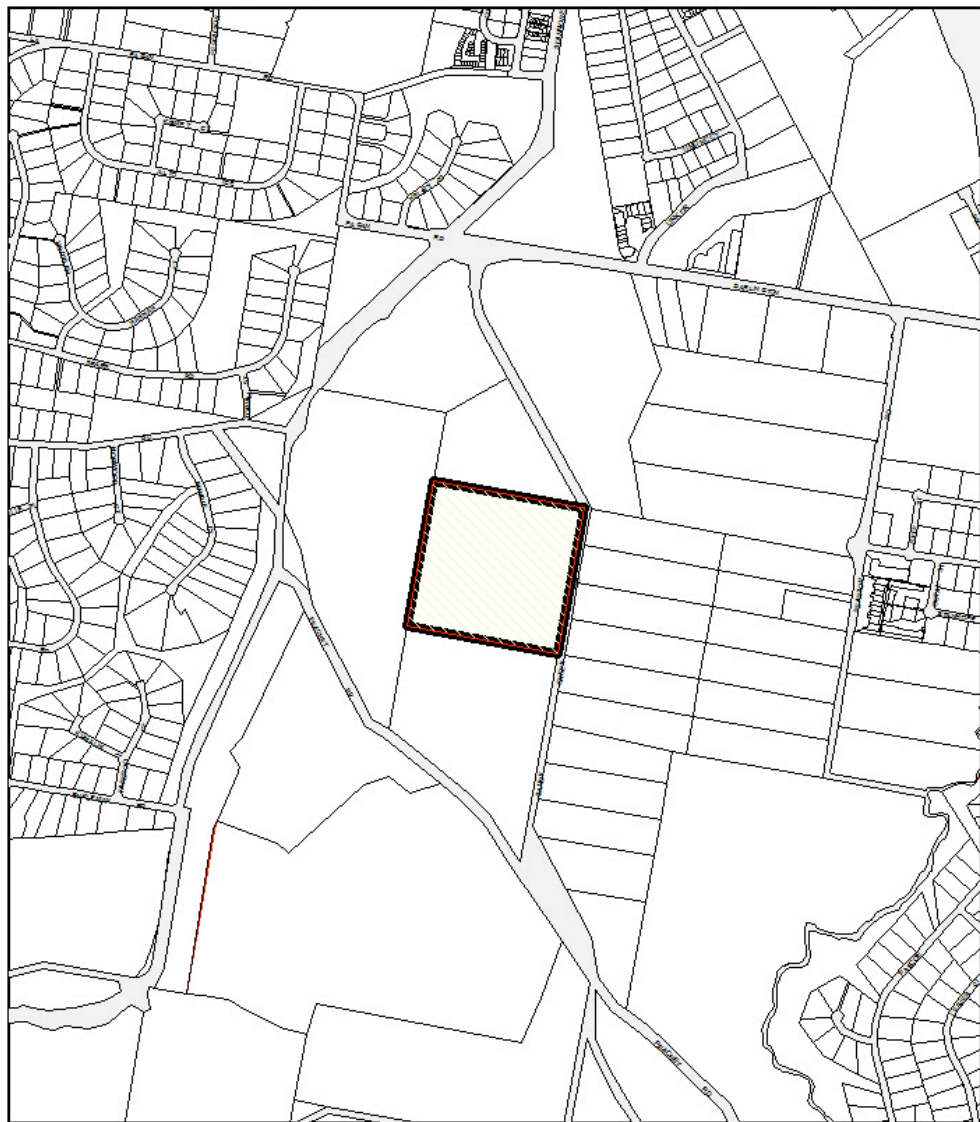
Gavin Collar
Senior Town Planner
18 November 2012

Authorised by:

Alton Twine
A/Director Planning Environment & Transport

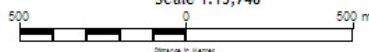
Attachment 1.1

Standard Locality Map 126 Sandy Creek Rd Yatala Gold Coast City Council



MAP_StandardMap.WOR

Scale 1:15,748



Projection: Trans. Merc./MGA94 Zone 56/GDA94

USE OF THIS MAP:
 This map reflects information currently held in Council's records. This map has been created for the express purpose of providing basic locality information to Gold Coast City Council officers. Using this map for any other purpose is at the users own risk. Property boundary line network information is supplied by the Dept. of Natural Resources, Qld. Any errors should be reported to the GIS Unit, Planning Environment and Transport Directorate.

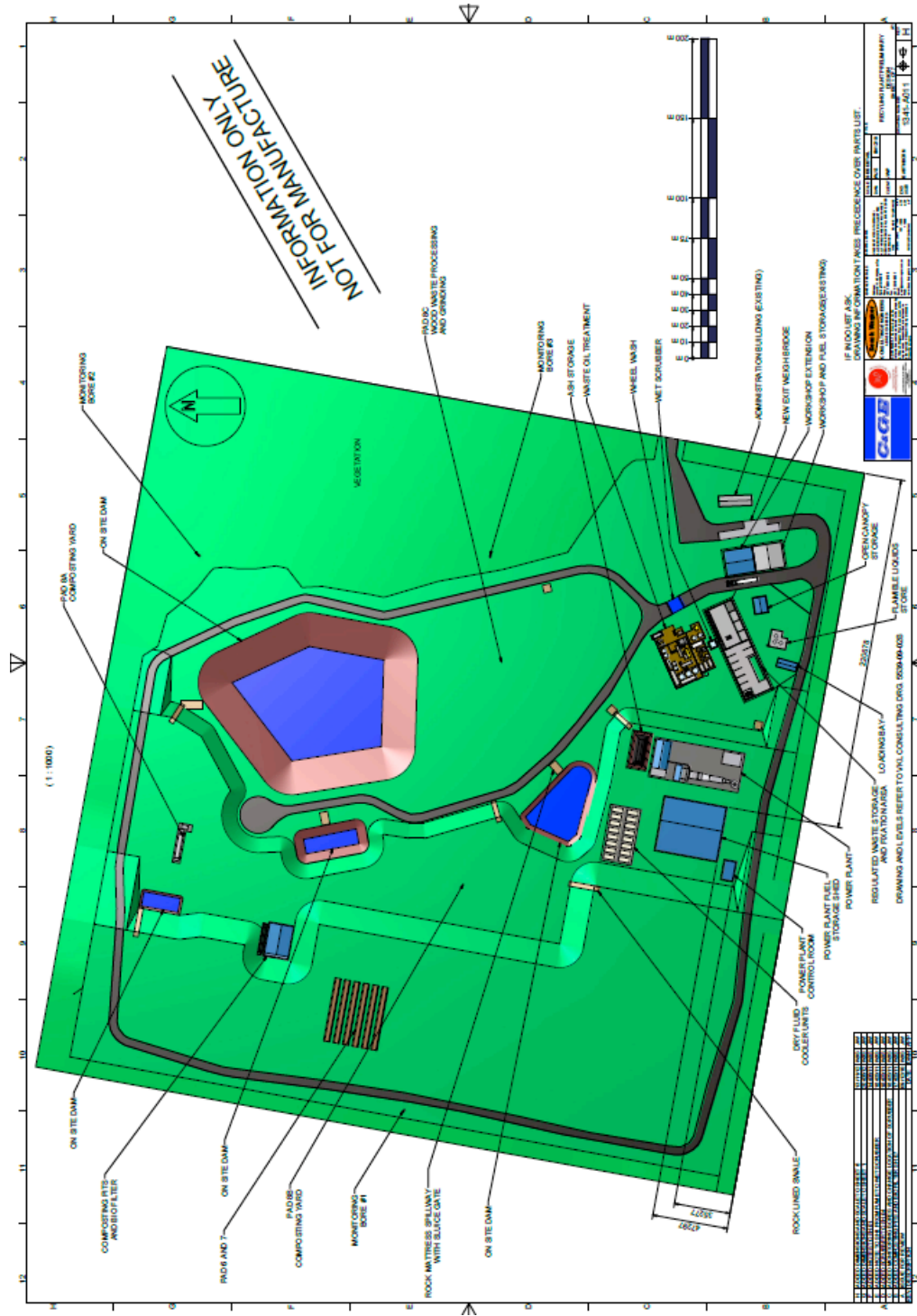
DISCLAIMER:
 This map has been prepared for providing basic locality information. The distance and level information shown on this plan are provided for your general information only. Using this map for any purpose other than basic locality information is at the users risk. No guarantee can be given as to the accuracy of the information supplied and no warranty is given in relation to any data supplied in this map. Should the information supplied be required for design, construction or excavation purposes, Council recommends that a survey by a licensed surveyor be carried out to obtain the necessary information.

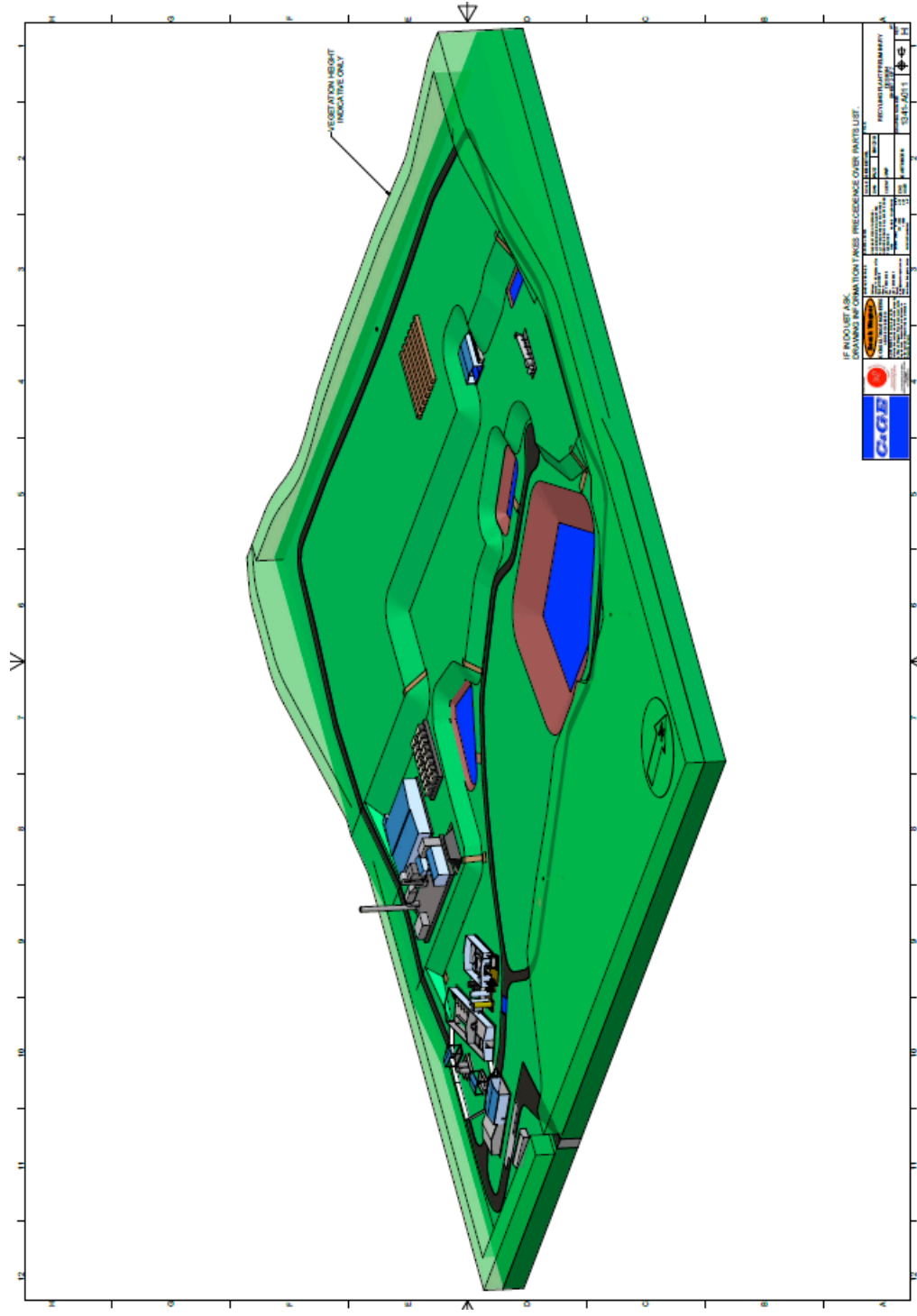
No warranty given in relation to the data (including accuracy, reliability, completeness or suitability) and no liability accepted (including without limitation, liability in negligence) for any loss, damage or cost (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in the breach of the privacy law. External contributors to data listed at www.nrm.qld.gov.au/products OR www.goldcoast.qld.gov.au ©The State of Queensland (Department of Natural Resources, Mines and Energy) 2004. ©Gold Coast City 2004. Produced by the Gold Coast City Council's Geographic Information System (EastMaps). All rights reserved.

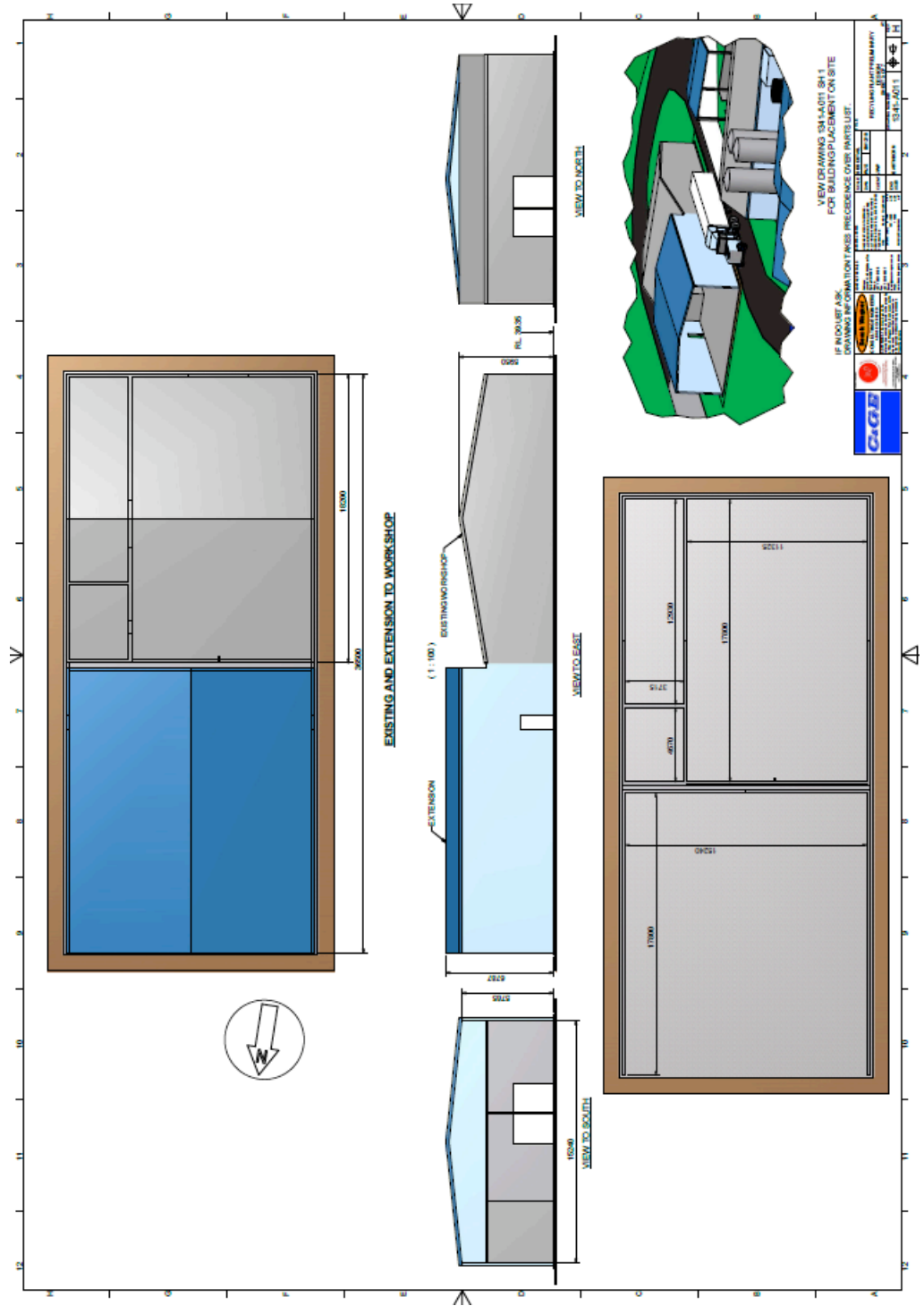


Gold Coast City Council

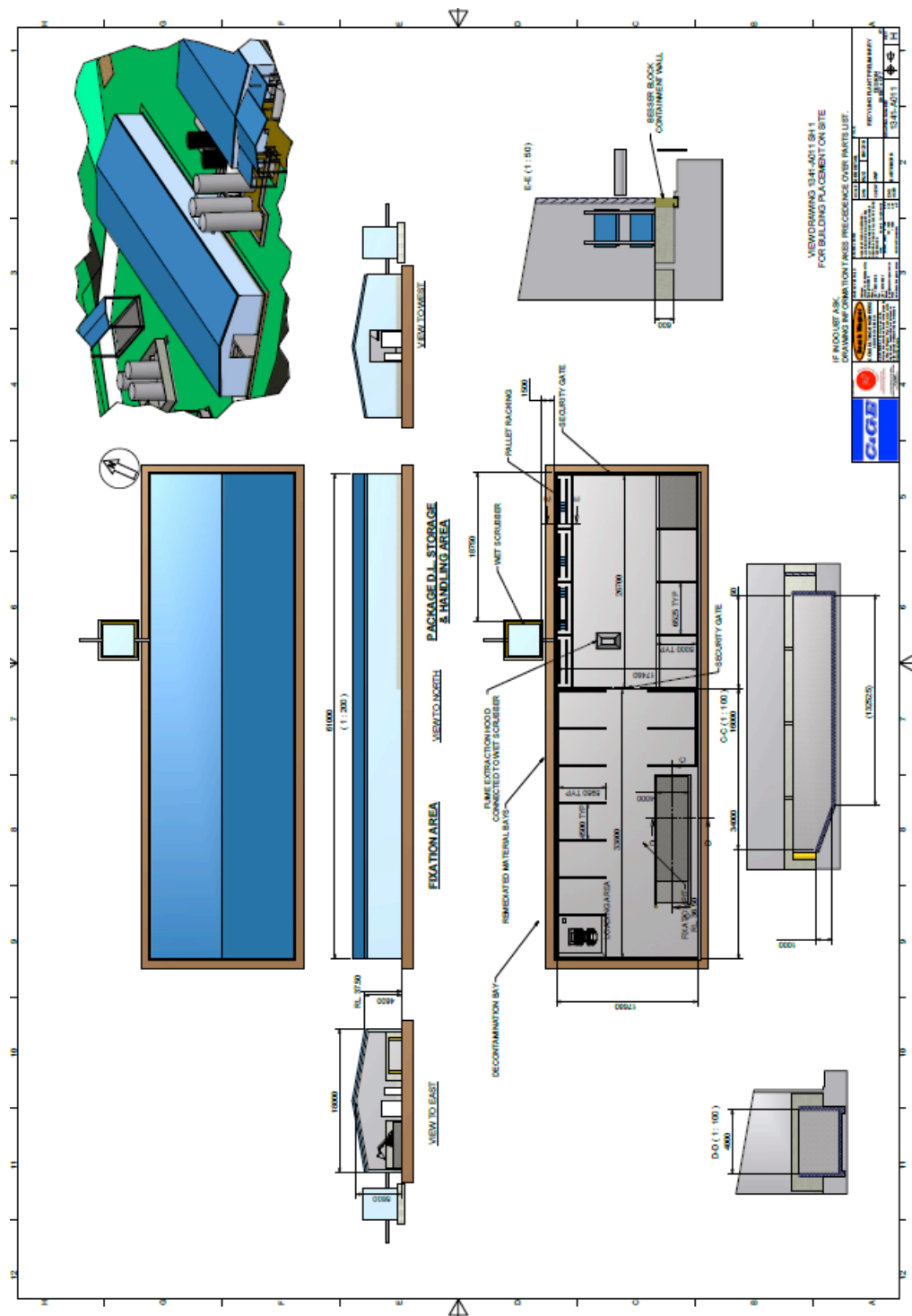


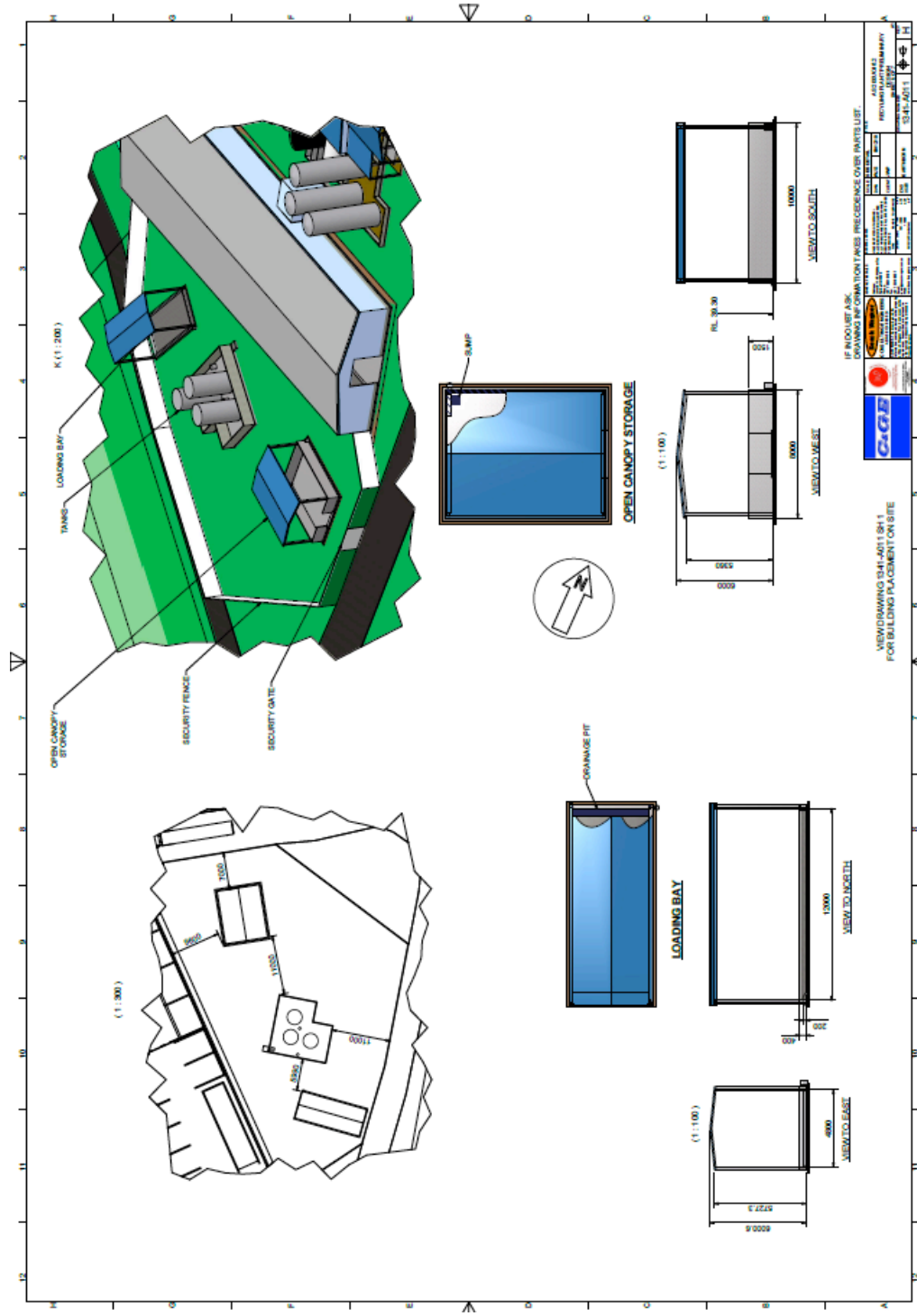


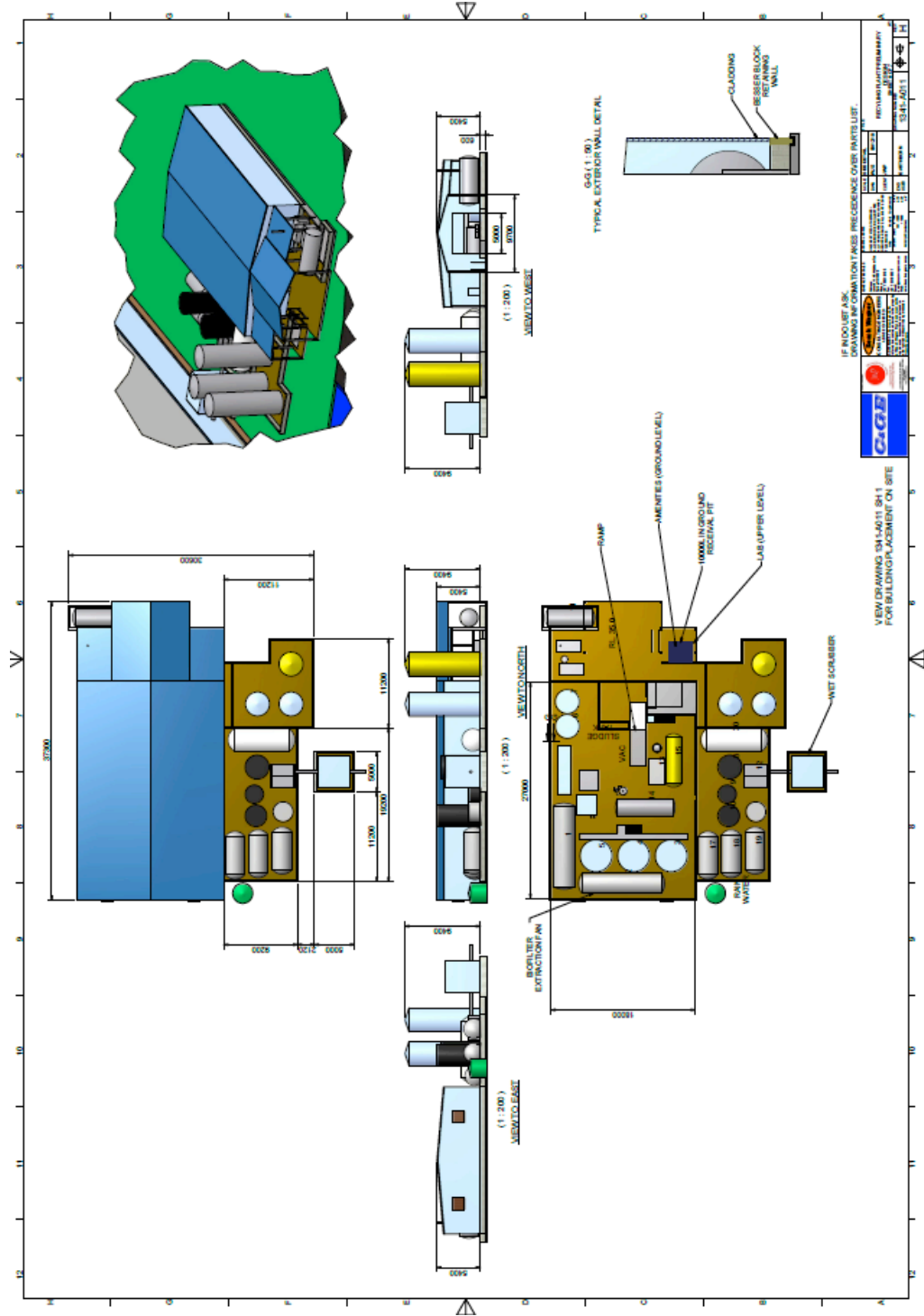


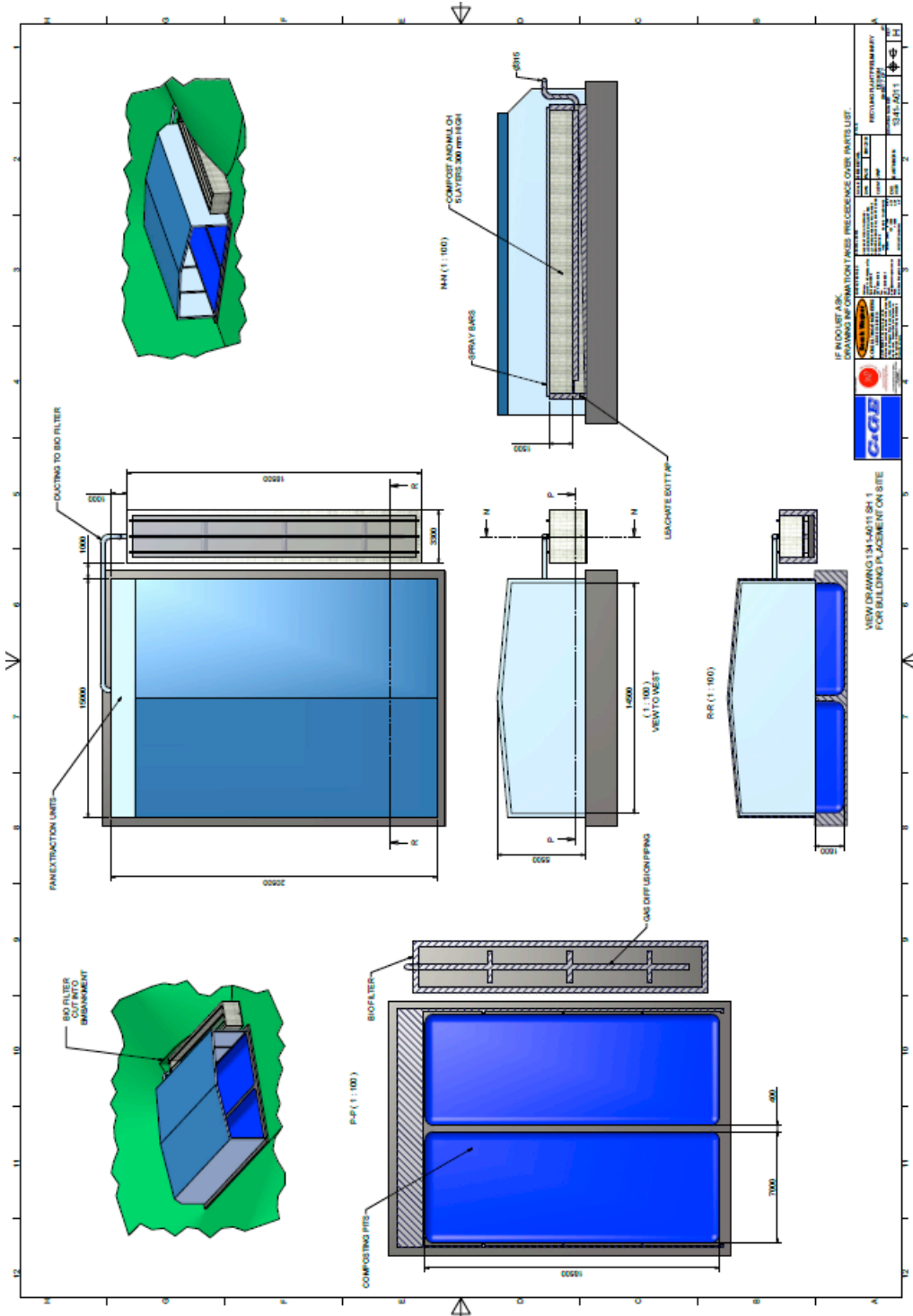


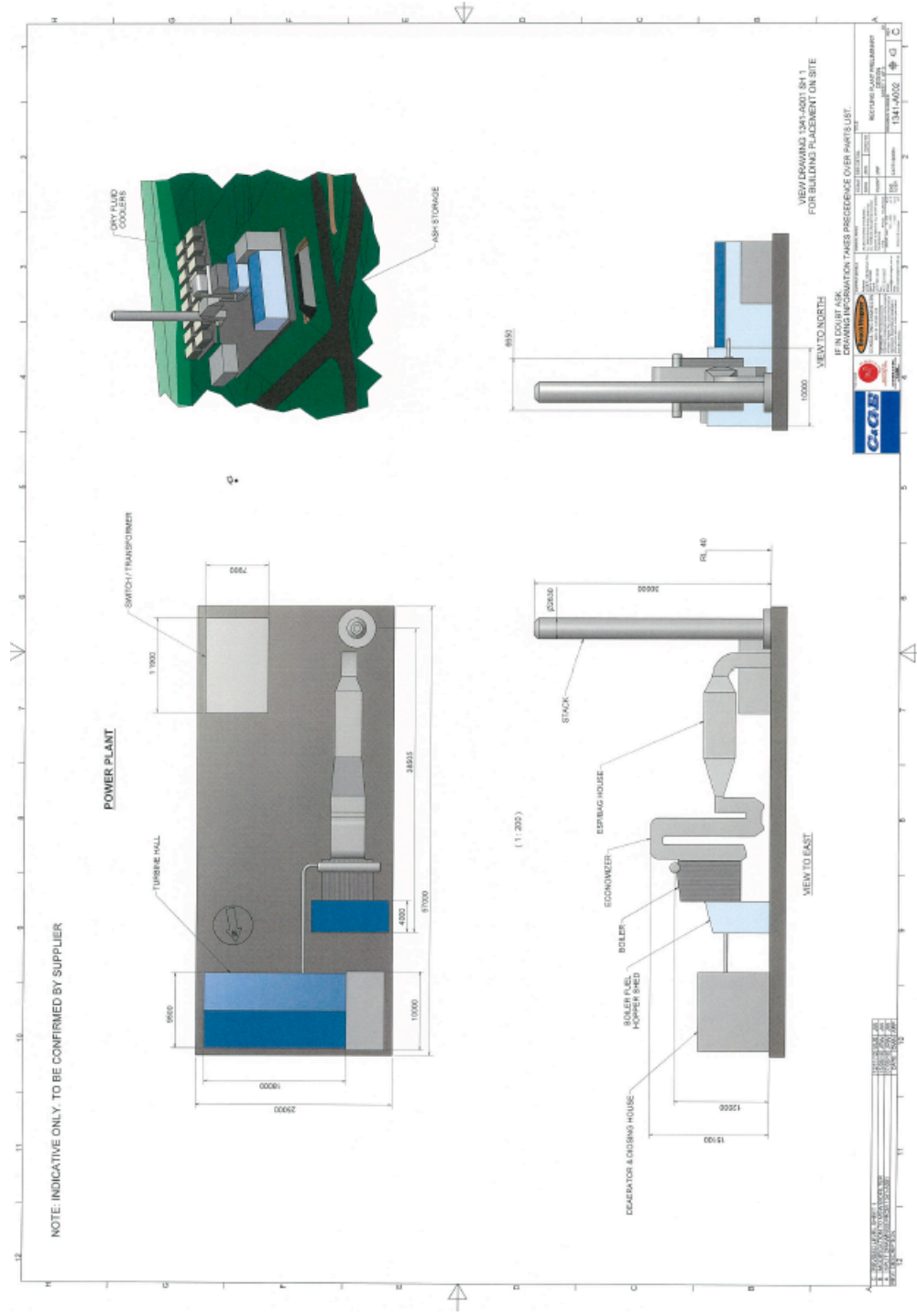
VIEW DRAWING SHOWN SH-1
 FOR BACKGROUND ON SITE
 IF INDUSTRIAL ZONING FINE RECORDS CENTER
 NOT TO BE USED FOR PERMITS
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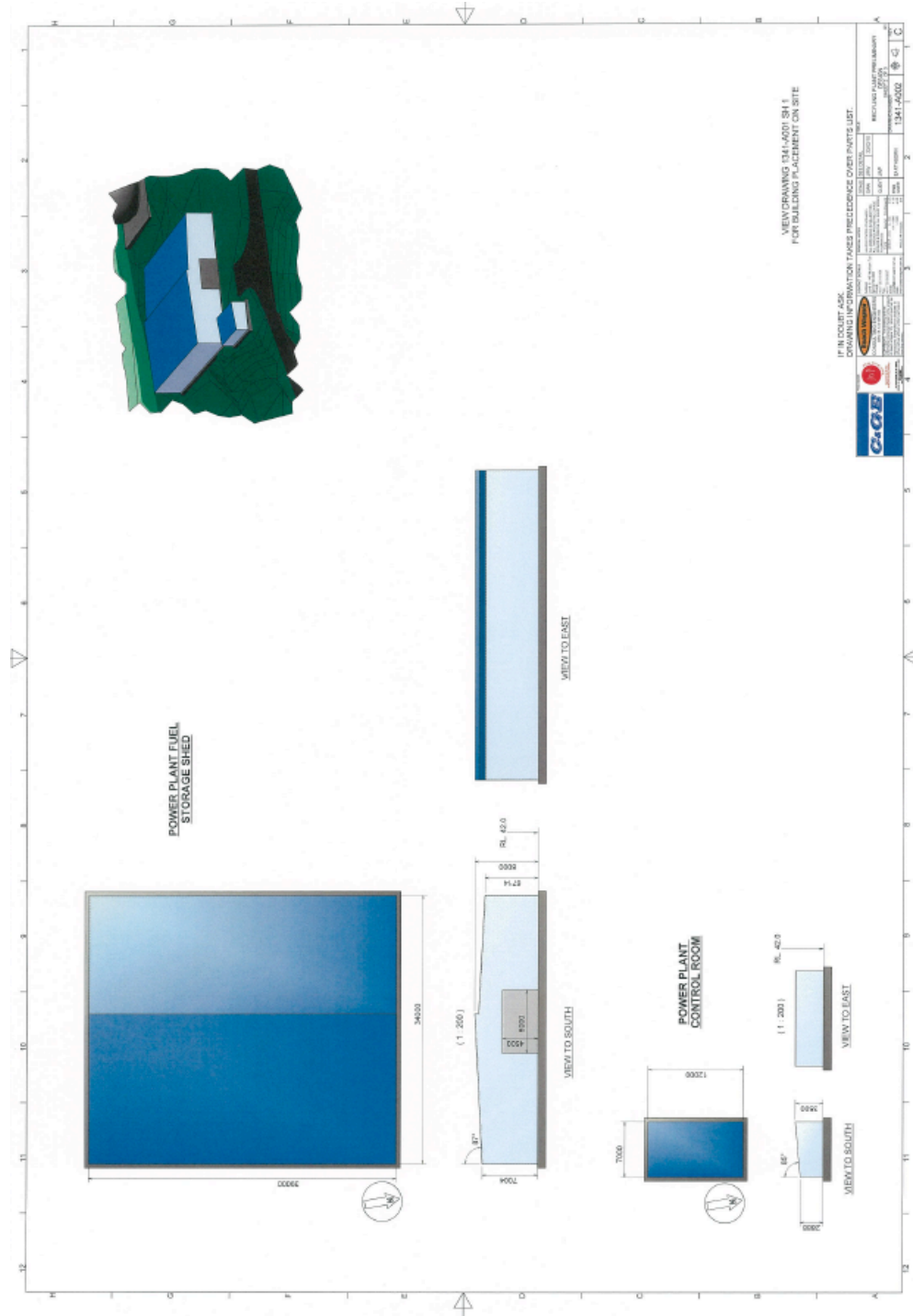


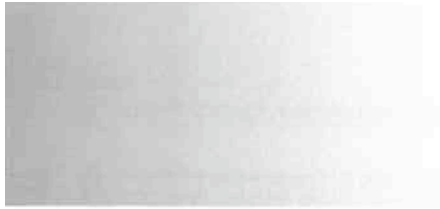












Notice

Amended Concurrence Agency Response

This notice is issued by the chief executive pursuant to section 3.3.17 and 3.3.18 of the Integrated Planning Act 1997

Gold Coast City Council
PO Box 5042
Gold Coast MC QLD 9729

cc. Phoenix Power Recyclers Pty Ltd
PO Box 6442
YATALA QLD 4207

Our reference: SOR/113055

Re: Amended Concurrence Agency Response

1. Application details

Applicant: Phoenix Power Recyclers Pty Ltd
Assessment Manager ref: MCU2900869
Date application referred to the concurrence agency: 19 January 2010
Development approval applied for: Development Permit
Aspect(s) of development:

Assessable development		Referral agency reference
Material Change of use involving an ERA	Table 2 item 1(a) of Schedule 2 of the <i>Integrated Planning Regulation 1998</i> .	IPCE01818210

2. Development description(s):

- 1) ERA 8 (1) (c) Storing 10 m³ or more of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3.
- 2) ERA 14(2)(a) Electricity generation – generating electricity by using a fuel at a rated capacity of 10MW electrical to 150MW electrical.
- 3) ERA 33 Crushing, milling, grinding or screening - processing products (other than agricultural products and materials mentioned in item 22) including, for example, uncured rubber and chemicals, by crushing or grinding or milling in works having a design production capacity of 5 000t or more a year.

Notice
, Amended Concurrence Agency Response

- 4) ERA 53 Composting and soil conditioner manufacturing (1) Composting and soil conditioner manufacturing consists of manufacturing, from organic material or organic waste, 200t or more of compost or soil conditioners in a year.
- 5) ERA 55 Regulated waste recycling or reprocessing- operating a facility for receiving and recycling or reprocessing, regulated waste to produce saleable products.
- 6) ERA 56 Regulated waste storage Threshold 2- receiving and storing regulated waste other than tyres.
- 7) ERA 58 Regulated waste treatment – operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.
- 8) ERA 62 Waste transfer station operation – operating, on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that received a total quantity of at least 30 t or 30m³ of waste on any day.

3. **Property/Location description(s):** 126 Sandy Creek Road (Lot 1 on Plan RP158997)


4. **Concurrence jurisdiction**

The amended concurrence agency response for the concurrence agency referral jurisdiction for the aspect of development involved with the application the subject of this Notice is to tell the assessment manager as follows:

- i) Conditions must attach to any development approval, and those conditions are attached to this notice as: **Attachment 1 EHP Permit Number IPCE1818210**

5. **General advice to assessment manager**

Pursuant to sections 3.5.15 of the Act, a copy of the decision notice or negotiated decision notice issued by the assessment manager must be forwarded to the referral agency for the relevant application at ES-RSD-SER-Gold Coast PO Box 4244, Robina Town Centre, QLD 4230 and an electronic copy to eco.access@ehp.qld.gov.au.



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

Enquiries
William Inonda
Department of Environment and Heritage Protection
Environmental Services and Regulation
Phone: 5583 2147
Fax: 5583 2136
Email: william.inonda@ehp.qld.gov.au

Attachment(s)

Attachment 1: EHP Permit Number IPCE01818210

Inonda William

From: Amanda Tzannes <amanda.tzannes@rpsgroup.com.au>
Sent: Friday, 16 November 2012 9:48 AM
To: Inonda William
Subject: draft conditions
Importance: High

Hi William,

After consideration of your draft conditions we have agreed to accept them as they currently are. Beau and Luke are confident that modelling demonstrates the plant will comply.

If you want to issue the final set and the form for me to sign to agree to the conditions I can get that back to you ASAP.

Thanks for your help and patience with all of this.

Regards

Amanda

EHP Permit Number: IPCE01818210

Section 3.5.17 and 3.3.18 *Integrated Planning Act 1997*

This permit supersedes development approval ENDC00261305 issued on 25 January 2007

EHP Permit number:	IPCE01818210
Assessment Manager reference:	MCU2900869
Date application received by EHP:	19 January 2010
Permit Type:	Amended Concurrence Response for an MCU involving an ERA
Date of Decision:	19 November 2012
Decision:	Granted in full subject to the attached conditions
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i> and any subordinate legislation
Jurisdiction	<i>Item a in table 2 of Schedule 2 of the Integrated Planning Act 1997</i>

Development Description

Property	Lot/Plan	Aspect of Development
126 Sandy Creek Road	Lot 1 on Plan RP158997	<p>ERA 8 (1) (c) Storing 10 m³ or more of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3.</p> <p>ERA 14(2) (a) Electricity generation – generating electricity by using fuel at a rated capacity of 10MW electrical to 150MW electrical.</p> <p>ERA 33 Crushing, milling, grinding or screening - processing products (other than agricultural products and materials mentioned in Item 22) including, for example, uncured rubber and chemicals, by crushing or grinding or milling in works having a design production capacity of 5000t or more a year.</p> <p>ERA 53 Composting and soil conditioner manufacturing (1) composting and soil conditioner manufacturing consists of manufacturing, from organic material or organic waste, 200t or more of compost or soil conditioners in a year.</p> <p>ERA 55 Regulated waste recycling or reprocessing- operating a facility for receiving and recycling or reprocessing, regulated waste to produce saleable products.</p> <p>ERA 56 Regulated waste storage threshold 2 –receiving and storing regulated waste other than tyres.</p> <p>ERA 58 Regulated waste treatment – operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.</p>

Development approval

EHP Permit number: IPCE01818210

		ERA 62 Waste transfer station operation – operating, on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that received a total quantity of at least 30t or 30m ³ of waste on any day.
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Reasons for inclusion of development conditions

In accordance with section 3.3.18(8) of the *Integrated Planning Act 1997*, and section 27B of the *Acts Interpretation Act 1954*, the reasons for the inclusion of development conditions are:

1. The Department of Environment and Heritage Protection is a concurrence agency under the *Integrated Planning Regulation 1997* for the purposes of the *Environmental Protection Act 1994*.
2. Any development conditions placed on this permit for an environmentally relevant activity are in accordance with section 73B of the *Environmental Protection Act 1994*.

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.

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 permit. This permit takes effect on the date of the decision specified in the assessment manager's decision notice.

General advice to assessment manager

Pursuant to sections 334 and 363 of the Act, a copy of the decision notice or negotiated decision notice issued by the assessment manager must be forwarded to the referral agency for the relevant application at ES-RSD-SER-Gold Coast PO Box 4244, Robina Town Centre, QLD 4230 and an electronic copy to eco.access@ehp.qld.gov.au.

Processing of Waste Oil and lubricants to produce Diesel Fuel

The proposed technology to process waste oil and lubricants to produce diesel fuel is approved subject to a 12 month trial period, to study the potential impact of hazardous air pollutants generated from the process. The registered operator must undertake a continuous and isokinetic stack and process monitoring during the trial period and submit a report to the administering authority, within a period of one month, after the completion of the trial.

The 12 month trial period begins from the date of issuing of the assessment managers decision notice.

The trial must be designed to evaluate the effect of burning a range of waste oils and lubricants on the process parameters (such as furnace temperature, residence time, oxygen contents of flue gases etc.), the production of waste steam, monitoring the process and flue gases and the potential impact on the receiving environment. The registered operator must provide information on the amount of material processed, the chemical properties of the waste oils and lubricants used, air pollution control devices and flue gas characteristics.

During the trial, the facility must demonstrate that the equipment used in this technology and its control devices can meet the 99.99 percent destruction and removal efficiency (DRE) for principal organic hazardous air pollutants and all emissions standards, under all potential operating variables.

The registered operator must monitor stack emissions to demonstrate the performance of the process, and the pollution control equipment. The trial needs to be conducted using different processing rate to ensure that burning of this material would not cause any environmental harm. To ensure compliance with the best practice, a safe amount and type of waste oils and lubricants needs to be determined.

Development approval

EHP Permit number: IPCE01818210

Contaminated Land

The land is listed on the Department of Environment and Heritage Protection's Environmental Management Register as a Notifiable Activity (as defined in Schedule 3 and Schedule 4 of the *Environmental Protection Act 1994*) is being carried out on the land.

Environmentally Relevant Activities

The aforementioned description of any environmentally relevant activity (ERA) for which this development permit is issued is simply a restatement of the ERA as prescribed in the legislation at the time of issuing this development permit. Where there is any conflict between the abovementioned description of the ERA for which this development 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.

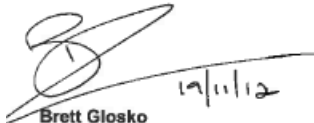
This development permit authorises the ERA. It does not authorise environmental harm unless a condition within this development permit explicitly authorises that harm. Where there is no such condition or the development permit is silent on a matter, the lack of a condition or silence shall not be construed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

In addition to this development 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*.

National Pollutant Inventory

The occupier of a reporting facility that, under NPI NEPM, exceeds the reporting threshold for a substance in the facility's reporting period must, within 3 months after the end of the reporting period, give the chief executive the following, unless the occupier has a reasonable excuse –

- a) the information mentioned in NPI NEPM, section 9(1);
- b) a statement about the information that complies with NPI NEPM, section 9(6).



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

Development approval

EHP Permit number: IPCE01818210

CONDITIONS OF PERMIT

Conditions for:

1. ERA 8 (1) (c) Storing 10 m³ or more of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3.
2. ERA 14(2)(a) Electricity generation – generating electricity by using a fuel at a rated capacity of 10MW electrical to 150MW electrical.
3. ERA 33 Crushing, milling, grinding or screening - processing products (other than agricultural products and materials mentioned in Item 22) including, for example, uncured rubber and chemicals, by crushing or grinding or milling in works having a design production capacity of 5 000t or more a year.
4. ERA 53 Composting and soil conditioner manufacturing (1) Composting and soil conditioner manufacturing consists of manufacturing, from organic material or organic waste, 200t or more of compost or soil conditioners in a year.
5. ERA 55 Regulated waste recycling or reprocessing- operating a facility for receiving and recycling or reprocessing, regulated waste to produce saleable products.
6. ERA 56 Regulated waste storage Threshold 2– receiving and storing regulated waste other than tyres.
7. ERA 58 Regulated waste treatment – operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.
8. ERA 62 Waste transfer station operation – operating, on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that received a total quantity of at least 30 t or 30m³ of waste on any day.

This Development approval incorporates the following schedules:

- Schedule A - General
- Schedule B - Feedstock Acceptance and Handling
- Schedule C - Air
- Schedule D - Water
- Schedule E - Land
- Schedule F - Noise
- Schedule G - Waste
- Schedule H - Social
- Schedule I - Definitions
- Schedule J - Attachments

Development approval

EHP Permit number: IPCE01818210

Schedule A: General

Prevent and/or Minimise Likelihood of Environmental Harm.

- A1 In carrying out an ERA to which this development approval relates, the registered operator must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused.
- Display of development approval.**
- A2 The registered operator of an ERA to which this development approval relates must keep a copy of this approval in a location readily accessible to personnel carrying out the ERA(s).
- A3 Oily water treatment is limited to the following treatment processes:
- (a) Gravity and centrifugal separation;
 - (b) Screening;
 - (c) Chemical treatment (pH adjustment and coagulation/flocculation);
 - (d) Heating.
- A4 Chemical Fixation Stabilisation treatment is limited to the following treatment processes:
- (a) Fixation through the addition of fixative reagents including lime, caustic soda and flocculants; and
 - (b) Solidification through the addition of fly ash, cement or cement kiln dust.
- Alterations.**
- A5 No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to increase, the risk of environmental harm above that expressly provided by this development approval.
- Feedstock Acceptance and Processing**
- A6 The only feedstocks to be received, stored or treated at the authorised place are those listed in **Table A- Approved Feedstock.**
- A7 The feedstock must only be treated or processed using processing plant listed in **Table A- Approved Feedstock.**
- A8 All landfill leachate is not permitted to be stored at the authorised place in any manner or form other than within composting windrows.
- A9 All landfill leachate must be applied to the composting windrows on the same day that the landfill leachate is received at the authorised place.

Development approval

EHP Permit number: IPCE01818210

TABLE A- Approved Feedstock

Waste (including regulated waste) description	Process
Wood waste (excluding chemically treated timber) (including pallets, off cuts, boards, stumps and logs)	Composting
Wood Molasses	Composting
Vehicle wash down waters	Composting
Vegetable waste	Composting
Vegetable oil wastes and starches	Composting
Treatment tank sludges (excluding heavy metal contaminated sludges)	Composting
Tallow	Composting
Sugar and sugar solutions	Composting
Storm water and stormwater residues	Composting
Solid and dewatered food processing waste	Composting
Sawdust	Composting
Poultry processing waste	Composting
Paunch material	Composting
Mushroom substrate waste	Composting
Molasses	Composting
Liquid food processing waste	Composting
Lime	Composting
Landfill leachate	Composting
Inks (water-based inks only) & Paints (water-based paints only)	Composting
Hide and hair waste	Composting
Green wastes (including vegetation)	Composting
Grease trap waste, including treated grease trap waters and dewatered grease trap sludge	Composting
Fly Ash	Composting
Fish Processing Waste	Composting
Food and food scrap waste	Composting
Filter cake and presses	Composting
Fertiliser & fertiliser washings	Composting
Directional drilling mud waters	Composting
Dewatered paper sludge	Composting
Dewatered bacterial (sewage) sludge including stabilised anaerobic or aerobic sludges	Composting
Boiler blow down water	Composting
Bilge Waters	Composting
Beer	Composting
Bauxite sludge	Composting
Ash water	Composting
Animal manures including livestock	Composting
And other wastes agreed to by the administering authority	Composting
Amorphous silica sludge	Composting
Abrasive blasting sand (excluding heavy metal contaminated sands)	Composting

Development approval

EHP Permit number: IPCE01818210

TABLE A -Approved Feedstock continued

Waste	Process			
	Material	Regulated Waste Storage & or consolidation	Regulated Waste Treatment	Regulated Waste Recycling & Reprocessing
Black Jack		✓		✓
Oil water, including interceptor oil		✓	✓	✓
Wastewaters contaminated with oils and oil emulsions		✓	✓	✓
Diesel Oil		✓	✓	✓
Furnace Oil		✓	✓	
Waste kerosene, U.L.P., acetone, BTEX and degreasing oil		✓		✓
Waste oil brake fluid, transmission fluid		✓		✓
Solvents such as ethanol and dry cleaning fluids, toluene, turpentine, acetone, methyl acetate, ethyl acetate, and hexane		✓		✓
Solvent based paints		✓		✓
Poisons such as agricultural chemicals (pesticides and herbicides)		✓	✓	✓
Heavy metal contaminated soils			✓	
Hydrocarbon contaminated soils		✓	✓	
Substances, including liquids containing heavy metals			✓	
Class 6 - Toxics and infectious substances		✓		✓
Packaged hazardous substances like lab chemicals from school, outdated products		✓		
Acids		✓		
Alkalis		✓		

Trained Operators.

A10 All persons engaged in the conduct of an ERA to which this approval relates, including but not limited to employees and contract staff, must be:

- (a) trained in the procedures and practices necessary to:

Development approval

EHP Permit number: IPCE01818210

- (i) comply with the conditions of this development approval, and
 - (ii) prevent environmental harm during normal operation and emergencies; or
- (b) under the close supervision of such a trained person.

Maintenance of Plant and Equipment.

- A11 The registered operator of an ERA to which this development approval relates must:
- (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this development approval; and
 - (b) maintain such measures, plant and equipment in a proper and efficient condition; and
 - (c) operate such measures, plant and equipment in a proper and efficient manner.
- A12 The registered operator of an ERA to which this approval relates must ensure that the operation and maintenance of any plant and equipment at the authorised place, including pollution control equipment, is carried out by a person with appropriate experience and qualifications.

Monitoring

- A13 All monitoring, assessments and reports required by this development approval must be conducted by person(s) with appropriate experience or qualifications

Environmental Impact Analysis Reporting.

- A14 The registered operator of the ERA(s) to which this approval relates must arrange for the monitoring data gathered in accordance with this approval to be analysed by a suitability qualified person in order to demonstrate compliance with the conditions of this development permit. When data analysed demonstrates a non-compliance with the conditions of this development permit, the data must be further interpreted to assess the nature and extent of any environmental impact of the environmentally relevant activity.

Records.

- A15 The registered operator of an ERA to which this development approval relates must record, compile and keep all records required to demonstrate compliance with the conditions of this development approval and keep these records in a location readily accessible to the persons carrying out the ERA(s).
- A16 All records required to be kept as a condition of this development approval must be kept for a minimum of 5 years and be provided to the administering authority upon request.

Equipment Calibration.

- A17 All instruments, equipment and measuring devices used for measuring or monitoring any parameter in accordance with any condition of this development approval must be calibrated, and appropriately operated and maintained according to the manufacturer's instructions.
- A18 A record must be made and kept of each time an instrument, equipment or measuring device is calibrated.
This record must include:
(i) date and time of calibration.
(ii) a completed checklist of the steps performed to carry out the calibration.
(iii) variance observed.
(iv) signature of the person carrying out the calibration.

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Exception Reporting

- A19 The administering authority must be notified in writing of any monitoring result which indicates an exceedance of any development approval limit within twenty eight (28) days of the completion of analysis.
- A20 The written notification required by condition A19 must include:
- (a) results of the full analysis of the incident;
 - (b) details of investigation or corrective actions taken; and
 - (c) any subsequent analysis.

Incident Notification.

- A21 The registered operator of an ERA to which this approval relates must notify the administering authority within twenty-four (24) hours, after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this development approval .
- A22 A written notice detailing the following information must be provided to the administering authority within 14 business days of any advice provided in accordance with condition A 21:
- (a) the name of the holder, including their development approval and registration numbers;
 - (b) the name and telephone number of a designated contact person;
 - (c) the nature of the emergency, incident and / or non-compliance and the time and date of the release;
 - (d) the quantity and nature of the substance released;
 - (e) the location and time of the release;
 - (f) vehicle and registration details of any vehicle involved;
 - (g) the names of the person/s involved in the release and / or clean up;
 - (h) the suspected cause of the release;
 - (i) a description of the effects of the release;
 - (j) the results of any sampling performed in relation to the release;
 - (k) actions taken to mitigate any environmental harm caused by the release; and
 - (l) proposed actions to prevent a recurrence of the release.

Site Based Management Plan.

- A23 From the commencement of an ERA to which this development approval relates, a Site Based Management Plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERA's carried out.
- The SBMP must address the following matters:
- (a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals.
 - (b) Identification of environmental issues and potential impacts.
 - (c) Control measures for routine operations to minimise likelihood of environmental harm.
 - (d) Emergency Response Plan.
 - (e) Organisational structure and responsibility.
 - (f) Effective communication.
 - (g) Documentation Systems.
 - (h) Monitoring of contaminant releases.
 - (i) Conducting environmental impact assessments.

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- (j) Implementation of waste management plan.
- (k) Program for continuous improvement.
- (l) Staff training.
- (m) Record keeping.
- (n) Periodic review of the SBMP.

- A24 The SBMP must not be implemented or amended in a way that contravenes any condition of this development approval.
- A25 A copy of the SBMP must be kept at the authorised place to which this development approval relates.

Security.

- A26 all practicable measures must be taken to prevent unauthorised access to the authorised place to which this development approval relates.
- A27 The registered operator of an ERA to which this development approval relates must ensure that, at all times while an ERA is being carried out, at least one person is present who is responsible for the control and operation of the facility and whose duties must include but are not limited to:
- (a) controlling the reception, storage and removal of raw materials, feedstock and wastes;
 - (b) maintaining the facility to an appropriate environmental standard;
 - (c) controlling all employees working in the facility; and
 - (d) supervising all persons entering the facility.

Fire-fighting Access.

- A28 Clear access to the water supply for fire-fighting vehicles must be provided at all times.
- A29 A 20 metre fire break must be cleared around the areas used to stockpile or store wood, timber, mulch or combustible materials.
- A30 The fire break/s must be located outside the designated buffers to the wetland.
- A31 The fire break/s must be maintained in accordance with any recommendations made by the Queensland Regional Fire Commander.

Emergency Response Plan.

- A32 The Emergency Response Plan must address at least the following matters:
- (a) response procedures to be implemented to reduce the likelihood of any release of contaminants to the environment;
 - (b) response procedures to prevent any further release or if such is not practicable, minimise the extent and duration of any release to the greatest practicable extent;
 - (c) the practice and procedures to be employed to restore the environment, or if such is not practicable, mitigate any environmental impacts of the release;
 - (d) a description of the resources to be used in response to such a release;
 - (e) the training of staff that will be called upon to respond to a release;
 - (f) procedures to investigate the cause of any release, and where necessary, implement remedial actions to reduce the likelihood of recurrence of a similar event;
 - (g) the provision and availability of documented procedures to staff attending any release to enable them to effectively respond; and
 - (h) timely and accurate reporting of the circumstance and nature of release events to the administering authority.

- A33 A copy of the Emergency Response Plan and any subsequent amendments must be kept at the

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authorised place and be available for examination by Emergency Services Personnel or an authorised person on request.

Community Liaison Committee.

- A34 The registered operator of an ERA to which this development approval relates must, in consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the site specifically or the area where the site is located.

Schedule B: Feedstock Handling

Regulated Wastes

- B1 Regulated waste must not be received from any person who does not hold a current registration certificate to transport the wastes under the provisions of the *Environmental Protection Act 1994* and the Environmental Protection Regulation 2008 (or subsequent legislation).
- B2 The registered operator of an ERA to which this development approval relates must not accept or store at the authorised place any container or vessel which, upon receipt at the authorised place, is found to be:
- (a) leaking; or
 - (b) damaged or corroded to the extent that leaks may occur during handling and storage on the authorised place.

Loading and Unloading Areas.

- B3 All loading/unloading of regulated wastes must take place only within designated vehicle loading/unloading areas or bunded areas.
- B4 The transfer of regulated waste materials from process plant to drums or containers must take place within bunded areas.
- B5 The registered operator of an ERA to which this development approval relates must ensure that a facility or equipment is available for the containment and recovery of any spillages at the loading/unloading point.
- B6 The registered operator of an ERA to which this development approval relates must take all practicable measures to prevent the spillage or leakage of wastes from any registered vehicle, during loading unloading and transportation of the wastes.

Feedstock Sampling and Analysis Procedure.

- B7 The registered operator of an ERA to which this development approval relates must implement a Feedstock Sampling and Analysis Procedure such that only wastes permitted to be received in accordance with **Table A – Approved Feedstock** are accepted at the authorised place. The procedure must include:
- (a) approved regulated waste specifications;
 - (b) storage and treatment specification limits;
 - (c) methodology to be used in the sampling and monitoring of all wastes received that demonstrates that the waste can be treated using best practice environmental methods to transform the waste into a safely disposable or saleable product;

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- (d) details of off-site analysis in event that unknown waste is received at the authorised place;
 - (e) response in the event of detection of wastes in **excess** of plant specification limits; and
 - (f) keeping of record(s) of any analysis, measurements and observations for all wastes received at the authorised place.
- B8 A copy of the Feedstock Sampling and Analysis Procedure must be kept at the authorised place.
- B9 The registered operator of an ERA to which this approval relates must not accept, store, treat and / or reprocess any regulated waste until it has been sampled and analysed in accordance with the Waste Sampling and Analysis Procedure.
- B10 The registered operator of an ERA to which this development approval relates must analyse at least one or more samples from every load of waste accepted at the facility to determine its suitability for treatment and or storage at the authorised place.
- B11 Samples taken as per condition B10 must be labelled with the date and identification number, and be cross referenced with the relevant waste transport documentation.
- B12 All determinations of the quality of the regulated waste accepted at the waste treatment facility and transported for off-site treatment, reprocessing or disposal must be performed an appropriately qualified person.
- B13 A written record must be kept for all waste sampling and analysis undertaken in accordance with condition B10.
- Waste Storage and Treatment.**
- B14 All regulated wastes must only be stored, treated or reprocessed within those areas designated for those purposes.
- B15 All regulated wastes permitted to be received and stored at the authorised place must be stored in sealed waste containers or tanks within a roofed and bunded storage area as per **Attachment 1 – Site Plan and environmental controls**.
- B16 Regulated waste containers or tanks that are deteriorating (e.g., cracked, rusted) or leaking must not be used.
- B17 Containers and tanks used to store regulated waste must be made of or lined with materials that will not react with and are otherwise compatible with the waste in the container or tank.
- B18 Containers and tanks holding regulated waste must always be closed during storage, except when waste is added or removed.
- B19 Containers must not be handled, opened, or stored in a manner that may cause them to leak.
- B20 Containers and tanks holding ignitable or reactive wastes must be located at least 15 metres from the facility's property line.
- B21 At least once a week, container and tank storage areas used to store regulated waste must be visually inspected for leaks or deterioration. The registered operator of an ERA to which this development permit relates must record inspections in a log, including:
- (a) the date and time of the inspection;
 - (b) the name of the inspector;
 - (c) observations made, and the date; and
 - (d) nature of any repairs.

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- B22 Spills or overflows from regulated waste storage tanks must be prevented by using, at a minimum:
- (a) spill prevention controls such as check valves; and
 - (b) overflow prevention controls such as high level alarms and automatic feed cut-offs.

- B23 No underground chemical, fuel and regulated waste storage tanks are to be installed at the authorised place.

- B24 Integrity assessments of chemical, fuel and regulated waste storage tanks must be undertaken to verify that the tank is fit to contain the material stored or treated therein without failing, collapsing, or rupturing.

Composting and Soil Conditioning Unloading areas

- B25 All unloading of liquid feedstock for composting and soil conditioning must take place within the composting receival mixing bays as depicted in **Attachment1: Site Plan and Environmental Controls** of this approval.

- B26 The registered operator must extract air from the composting receival mixing bays to appropriate air treatment systems when feedstock is being accepted at or located within these mixing bays.

- B27 All liquid feedstocks for composting and soil conditioning must be mixed with absorbant material (eg greenwaste) within one hour of arriving at the site such that the mixed material has no more than 50% w/w.

Waste transfer station

- B28 Construction and Demolition (C&D) waste receival, sorting and storage operations must only be carried out on a dedicated hardstand pad(s) that are:
- (a) Constructed of a low permeable material to minimise infiltration.
 - (b) Bunded to divert external stormwater runoff away from the pad(s) and to contain waste materials and the resulting contaminated stormwater within the pad(s).
 - (c) Graded to avoid rainwater ponding and to facilitate collection of contaminated stormwater in the storage structure(s) or sedimentation pond(s).
 - (d) Cleaned regularly to remove and prevent any build up of waste material.

NOTE: To remove any doubt, a sedimentation pond(s) may serve uncontaminated areas of the hardstand pad(s) such as trafficable areas, areas where waste materials are stored in sealed containers or stockpile areas of completely inert and uncontaminated waste materials

Handling Prohibited Wastes

- B29 In the event of prohibited waste being received at the authorised place, the registered operator must take all practicable measures to:
- (a) Cease the treating of such waste if treating of such waste is occurring;
 - (b) Remove the prohibited waste and store in a proper and secure manner;
 - (c) Notify the person who sent the prohibited waste to the place to which this development approval relates of the detection of prohibited waste in the waste received;
 - (d) As soon as practicable arrange for a person who can lawfully transport such waste to collect such waste;
 - (e) Arrange for the person transporting the prohibited waste to transport such waste to a facility that can lawfully accept such waste; and

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- (f) Keep the following records for each event of prohibited waste being accepted:
- (i) type of prohibited waste.
 - (ii) quantity of prohibited waste.
 - (iii) date of disposal.
 - (iv) name and address of the person(s) transporting the prohibited waste to the facility.
 - (v) name and address of the person(s) who generated the prohibited waste (if such person(s) can be reasonably identified).
- B30 A designated storage facility must be provided for the temporary storage of any prohibited waste received at the authorized place.
- Chemical Storage**
- B31 Containers and tanks used to store chemicals must be made of or lined with materials that will not react with and are otherwise compatible with the chemical in the container or tank.
- B32 Containers and tanks holding chemicals must always be closed during storage, except when chemicals are being added or removed
- B33 Containers must not be handled, opened, or stored in a manner that may cause them to leak.
- B34 Container and tank storage areas used to store chemicals must be visually inspected weekly for leaks or deterioration.
- B35 The registered operator of an ERA to which this development approval relates must record the inspections relating to chemical storage in a log, including:
- (e) The date and time of the inspection.
 - (f) The name of the inspector.
 - (g) Observations made, and the date.
 - (h) Nature of any repairs.
- B36 Spills or overflows from chemical storage tanks must be prevented by using, at a minimum:
- (c) Spill prevention controls such as check valves.
 - (d) Overfill prevention controls such as high level alarms and automatic feed cut-offs.
 - (e) Spill prevention controls such as check valves.
 - (f) Overfill prevention controls such as high level alarms and automatic feed cut-offs.
- B37 Underground chemical and fuel storage tanks are not permitted to be installed at the authorised place.
- B38 Integrity assessments of chemical and fuel storage tanks must be undertaken regularly to verify that the tank is fit to contain the material stored or treated therein without failing, collapsing, or rupturing.
- Leaking, damaged or corroded containers**
- B39 The registered operator must not accept at the authorised place any container which is found to be:
- (a) leaking; or
 - (b) damaged or corroded to the extent that leaks may occur during handling and storage at the licensed place;
 - (c) unless the container is immediately placed in an oversize receptacle.
- B40 A sufficient number of oversized containers must be available at the authorized place at any time to contain wastes from any drums which are found:
- (a) leaking.

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- (b) damaged or corroded to the extent that leaks may occur during handling and storage at the approved place.

Containment of Spills

- B41 The registered operator of an ERA to which this development approval relates must ensure that a facility or equipment is available for the containment and recovery of any spillages at the loading/unloading point.
- B42 An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the authorised place.

Schedule C: Air

Noxious or Offensive Odour

- C1 Notwithstanding any other condition of this approval, no release of contaminants resulting from the ERAs is to cause a noxious or offensive odour beyond the boundaries of the authorised place.
- C2 The registered operator of an ERA to which this development approval relates must take all reasonable and practicable measures necessary to ensure that the carrying out of environmentally relevant activities minimises the release of noxious or offensive odour to the atmosphere. Reasonable and practicable measures may include but are not limited to:
 - (i) reducing to the extent practicable the storage time of biomass material that is likely to cause the release of noxious or offensive odour to the atmosphere;
 - (ii) frequent cleaning of the biomass stockpile area that is likely to be contaminated using street sweepers or equivalent equipment;
 - (iii) removal of any leachate produced within the biomass stockpile area in a way to prevent or minimise the release of noxious or offensive odour to the atmosphere; and
 - (iv) the use of biodegradable odour neutraliser (deodorisers) to prevent or minimise the release of odour from the biomass stockpile area.

Odour Management Plan.

- C3 The registered operator of an ERA to which this development approval relates must develop and implement an Odour Management Plan. The elements of the Odour Management Plan must include but are not limited to:
 - (i) objectives/targets of what is intended to be achieved.
 - (ii) management strategies for the overall approach to be taken to meet/maintain the stated objectives/targets.
 - (iii) management strategies to minimise odour at the source(s).
 - (iv) tasks/actions required for the successful implementation of the nominated strategies, including any necessary permit applications and consultations.
 - (v) performance indicators against which the level of achievement of the stated objectives/targets will be measured.
 - (vi) monitoring of odour at the source(s).
 - (vii) frequency/deadline or time frame in which each of the tasks/actions is to be carried out and/or completed.
 - (viii) Responsible person/organisation for carrying out each task/action.
 - (ix) Reporting and review arrangements (including any auditing) for each task: how often; and to whom.
 - (x) Corrective actions to be undertaken if the stated objectives/targets are not being met or maintained, including who is responsible for taking required actions.

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- C4 If odour monitoring indicates that environmental nuisance is being caused or likely to be caused by odour release from an ERA to which this development approval relates, then the registered operator must:
- (a) advise the administering authority of planned odour abatement measures; and
 - (b) as soon as practicable implement odour abatement measures such that the release of odour from the activity will not result in further environmental nuisance.

Weekly Walkthrough Inspection

- C5 Weekly walkthrough inspections must be undertaken by a suitably trained staff. These inspections should consist of visual inspection of all work areas in and around the site in order to check compliance with this development approval and all SBMP.
- An odour field monitoring program must be developed and carried out at the boundary of the premises, in which at least 6 monitoring locations on the boundary were identified and the trained staff(s) must conduct the field inspection. The trained staff(s) must be able to assess the odour intensity around the boundary of the site.
 - The trained staff(s) should have their average individual n-butanol thresholds in the acceptable range of 20 to 80 ppb/v. During each odour assessment, weather conditions were also recorded as relevant information.
 - The above walkthrough odour monitoring must be conducted at least once per week, or following an odour complaint, to check the status of odour nuisance, using a "field odour survey sheet". The "field odour survey sheet" must be developed for recording odour character and intensity and apparent reason for odour. The approach used for field odour intensity must be derived from the German Standard "Determination of odorants in ambient air by field inspection" (VDI 3940, 1993). A standard ranking system based on the seven-point intensity scale must be used for monitoring odour intensity. The procedure requires recording odour intensity every 10 second over a period of at least 10 min at each location.

Dust Nuisance.

- C6 Notwithstanding any other condition of this development approval the release of dust and/or particulate matter resulting from the authorised place must not cause an environmental nuisance beyond the boundaries of the approved place.

Dust and Particulate Monitoring

- C7 Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place:
- (a) a level of deposited dust of 120 milligrams per square metre per day based on a monthly average; when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions);
 - (b) a concentration of total particulate matter suspended in the atmosphere of 90 micrograms per cubic metre over a 1 year averaging time;
 - (c) a concentration of particulate matter with aerodynamic diameter of less than 10 micrometres (PM₁₀) of 50 micrograms per cubic metres over a 24-hour averaging time with not more than 5 exceedances recorded over 12 months at any sensitive place (5 days

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exceedances per year are for the natural events such as bushfires and dust storm);

when monitored in accordance with:

- Australian Standard AS 3580.9.6 of 2003 (or more recent editions)
'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet -Gravimetric method'; or
- any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

C0 When requested by the administering authority, the registered operator must, within 48 hours of the administering authority's request, undertake or commission the undertaking of dust and particulate monitoring to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results of the monitoring provided to the administering authority within 7 days following completion of monitoring. Monitoring must be carried out at a place/s relevant to the potentially affected dust sensitive place and at upwind control sites and must include:

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

Dust minimisation

C9 The registered operator of an ERA to which this development approval relates must undertake all reasonable and practicable measures to minimise wind-borne dust and particulate matter emissions to the atmosphere from the environmentally relevant activities at the place to which this development approval relates.

Such measures must include, but are not limited to:

- (i) composting windrow forming and turning, compost remixing, blending and screening operations in calm weather conditions.
- (ii) maintenance of any composting windrows and raw material stockpiles in moist conditions.
- (iii) screening and grinding material in a moist state.
- (iv) carrying out screening and grinding activities using equipment fitted with effective screens which are impervious to the particulate material generated by the screening, milling grinding and crushing activities.
- (v) speed restrictions on vehicles driving at the site.
- (vi) installation of water sprays.
- (vii) use of water trucks.
- (viii) use of dust suppressants.
- (ix) establishment of wind breaks.
- (x) avoidance of the use of materials such as clay, mudstone and other fine grained materials in road construction.
- (xi) the use of mechanical road sweeping unit to clean sealed roads and trafficable areas.

Dust Control – cement and flyash.

C10 The registered operator of an ERA to which this development approval relates must take all reasonable and practicable measures necessary to prevent the spillage and/or loss of particulate matter and windblown dust from the transport and storage and use of fly ash, cement and other particulate materials used for chemical fixation.

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Release of Contaminants to the Atmosphere.

- C11 The release of contaminants to the atmosphere from a point source must only occur from those release points identified in **Table 2 (a) and (b) contaminants release to air** and must be directed vertically upwards without any impedance or hindrance.
- C12 Contaminants must not be released to the atmosphere from a release point at a height and a flow rate less than the corresponding height and velocity stated for that release point in **Table 1 - Source Description** of this approval.
- C13 Contaminants must not be released to the atmosphere from a release point at a concentration, as measured at a monitoring point, in excess of that stated in **Table 2 (a) and 2(b): contaminant release to air** and monitored not less frequently than Table 3.

Table 1- Source Description

Release point number	Source description	Minimum release height (metres)	Minimum Efflux Velocity (metres/second)	Minimum release temperature
RP1-	Power Plant Stack	25	30	150 degree Celsius
RP2-	Outlet of wet scrubber	NA	NA	NA

Table 2 (a)- Contaminants Release to air (under normal operating conditions).

Release point number	Contaminant release	Maximum concentration release limit (see Note1)
RP1-	Total Suspended Particulates	50 mg/Nm ³ (dry) at 7% O ₂
	Sulphur Dioxide (SO ₂)	300 mg/Nm ³ (dry) at 7% O ₂
	Carbon Monoxide (CO)	125 mg/Nm ³ (dry) at 7% O ₂
	Oxides of Nitrogen (measured as NO ₂)	350 mg/Nm ³ (dry) at 7% O ₂
	Total reduce sulphur	20 mg/Nm ³ (dry) at 7% O ₂
	Hydrogen Sulphide (H ₂ S)	5 mg/Nm ³ (dry) at 7% O ₂
	Volatile Organic Compounds (as N-propane equivalent)	40 mg/Nm ³ (dry) at 7% O ₂
	Polycyclic Aromatic Hydrocarbons (BaP)	0.2 mg/Nm ³ (dry) at 7% O ₂
	Dioxins and furans	0.1 ng I-TEQ/Nm ³ (dry) at 11 % O ₂
	Hydrogen Chloride (HCl)	100 mg/Nm ³ (dry) at 7% O ₂
	Hydrogen Fluoride (HF)	50 mg/Nm ³ (dry) at 7% O ₂
	Formaldehyde	5 mg/Nm ³ (dry) at 7% O ₂
	Lead	1.0 mg/Nm ³ (dry) at 7% O ₂
	Cadmium	0.2 mg/Nm ³ (dry) at 7% O ₂
	Mercury	0.2 mg/Nm ³ (dry) at 7% O ₂
Total Heavy Metals (see Note2)	10 mg/N m ³ (dry) at 7% O ₂	

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Note 1:- All above contaminants concentration release limits must be referenced to 7% oxygen, except dioxins and furans which must be corrected to 11% oxygen reference level.
 Note 2: - The above total heavy metals limit is for the total of antimony, arsenic, cadmium, lead, mercury, chromium and vanadium.

Table 2(b) Contaminant Release Limits to Air (under normal operating conditions)

Release point number	Contaminant release	Maximum release limit	Sampling frequency
RP-2 - outlet of wet scrubber	Total Heavy Metals ¹	10 mg/N m ³ (dry)	Every 3 months
	Hydrogen Sulphide (H ₂ S)	25 mg/Nm ³ (dry)	Every 3 months
	Total Reduced Sulphur (TRS)	30 mg/Nm ³ (dry)	Every 3 months
	Volatile Organic Compounds (as N-propane equivalent) ²	40 mg/Nm ³ (dry)	Every 3 months
	pH	6.0 > pH < 9.0.	monthly

Iso-Kinetic Monitoring of Contaminant Releases to the Atmosphere

C14

The registered operator of an ERA to which this development approval relates must conduct and keep records of a monitoring program of contaminant releases to the atmosphere at the release points, frequency, and for the parameter specified in Table 3 –Required Release Point Determinations and which complies with the following:

- (a) All determinations must be made by an appropriately qualified person.
- (b) Monitoring provision for the release points listed in Table 3 –Required Release Point Determinations must comply with the Australian Standard AS 4323.1 - 1995 "Stationary source emissions Method 1: Selection of sampling provisions".
- (c) All determinations of contaminant releases to the atmosphere must be made in accordance with methods prescribed in the most recent version of the administering authority's Air Quality Sampling Manual. If monitoring requirements for specific contaminants are not described in the administering authority's Air Quality Sampling Manual, monitoring protocols must be in accordance with a method as approved by New South Wales DEC/EPA, Victorian EPA or United States EPA.
- (d) The following tests must be performed for each required determination specified in Table 3 –Required Release Point Determinations:
 - (i) gas velocity and volume flow rate;
 - (ii) temperature and oxygen content;
 - (iii) water vapour concentration
- (e) where practicable samples taken must be representative of the contaminants discharged when emissions are expected to be at maximum rates.
- (f) during the sampling period the following additional information must be gathered:
 - (i) plants throughput rate at the time of sampling;
 - (ii) fuel type and consumption rate;
 - (iii) any typical factors that may influence air emissions;

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Table 3 - Required Release Point Determinations

Determination Required	Release Point Numbers	Frequency
Total suspended particulates (TSP)	RP1- Power Plant Stack	Stack must be monitored during commissioning (see Note1) of the facility and 6 monthly thereafter or at a duration agreed to by the administering authority.
Sulphur Dioxide (SO ₂)		
Carbon monoxide (CO)		
Oxides of Nitrogen (measured as NO ₂)		
Total reduced sulphur		
Hydrogen Sulphide (H ₂ S)		
Volatile organic compounds (as N-propane equivalent)		
Polycyclic aromatic hydrocarbons (PAH) as Benzo(a)pyrene equivalent (see Note2)		
Dioxins and furans		
Hydrogen chloride (HCl)		
Hydrogen Fluoride (HF)		
Formaldehyde		
Lead		
Cadmium		
Mercury		
Total Metals (total of antimony, arsenic, cadmium, lead, mercury, chromium and vanadium).		

Note 1: Within 3 months of commissioning the power plant, the registered operator must conduct air emission monitoring to demonstrate compliance with air emission limits listed in **Table 2a and 2b - Contaminant Release Limits to Air (under normal operating conditions)** and submit a report to the administering authority within 14 days following completion of the monitoring program.

Note 2: The above PAH limit is for total of the 16 priority PAH pollutants listed by the United States EPA, namely, Naphthalene, Acenaphthylene, Acenaphthene, Fluorene, Phenanthrene, Anthracene, Fluoranthene, Pyrene, Benz(a) anthracene, Chrysene, Benzo(b)fluoranthene, Benzo(k)fluoranthene, Benzo(a)pyrene, Indeno[123cd] pyrene, Dibenz[ah]anthracene and Benzo[ghi] perylene, expressed as Benzo(a)pyrene equivalents using the potency equivalence factors specified by the World Health Organisation.

Continuous Monitoring of RP1- Power Plant Stack

- C15 The registered operator of an ERA to which this approval relates must conduct and keep records of a continuous monitoring program of contaminant releases to the atmosphere. These are as follows:
- Total suspended particulates,
 - Nitrogen dioxide, and
 - Carbon monoxide and carbon dioxide.
- C15a The continuous monitoring system described in condition C15 must be able to detect a trend toward a potential exceedence of the total suspended particulate concentration limit as stated in **Schedule C Table 2(a) Contaminants Release to air (under normal operating conditions)** and be able to activate an audible and visible alarm on the plant operator's console.

The combustion efficiency of the plant must be continuously monitored and recorded. This must be

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- C16 achieved by continuous monitoring of carbon monoxide and carbon dioxide. Combustion efficiency is represented as:
$$[\text{CO}_2 - \text{CO}] \div [\text{CO}_2] \times 100 \text{ as a percentage}$$

Where [CO₂] and [CO] are the concentrations of carbon dioxide and carbon monoxide respectively.
- Dark Smoke**
- C17 The release of dark smoke from any release point must not occur for a period in excess of more than five minutes in any two hour period.
- Fuel Burning**
- C18 The only type of fuel to be burnt in the biomass fired power plant under normal operating conditions is biomass. Diesel fuel can be used during start up only.
- C19 The sulphur content of biomass burned in the kiln is not to exceed 0.1 percent by weight.
- C20 The registered operator of an ERA to which this development approval relates must use all reasonable and practicable means to ensure that the biomass which is used as a fuel at the power station is free from the following contaminants:
- (i) plastics;
 - (ii) chemicals;
 - (iii) putrescible matter;
 - (iv) painted wood;
 - (v) wood that has been coated, treated or contaminated with oil, finishes, chemicals, or any other contaminants;
 - (vi) wood chemically treated as a preservative; and
 - (vii) any solid material that is not wood.
- C21 Three months prior to the commencement of the power station operation, the registered operator, must develop and implement a Biomass Fuel Management Plan. The Biomass Fuel Management Plan must provide details on the following issues:
- the sampling and inspection methods for the biomass to ensure that only high quality biomass is received as fuel at the power station.
 - a criteria for the acceptance and rejection of biomass as fuel at the power station.
- C22 A copy of the Biomass Fuel Management Plan must be lodged with the administering authority with the annual return which follows completion of the plan.
- C23 A copy of the Biomass Fuel Management Plan and any subsequent amendment to the Biomass Fuel Management Plan must be kept at the premises to which this development approval relates and be available for examination by an authorised person on request.
- Acid gas abatement**
- C24 A system is to be installed to inject alkaline material (such as lime) and activated carbon into the exhaust gas stream prior to the gas stream passing through the fabric filter.
- C25 An automatic opacity meter is to be installed and operated at the biomass power plant (release point RP1) to indicate to the plant operator the opacity of the effluent gas at the monitoring point and to produce a record of this data.
- C26 The automatic opacity meter must be able to detect the smoke by indicating a trend toward a potential

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exceedence of the particulate concentration limits as stated in condition C13 to activate an audible and visible alarm on the plant operator's console.

Fabric Filter Dust Collector (FFDC)

- C27 All contaminants (exhaust gases) arising from the operation of the power plant must be treated in a FFDC prior to release to the atmosphere at release point RP1.
- C28 A device (e.g. differential pressure sensor) which is capable of detecting filter medium breakthrough must be installed in the outlet of the FFDC.
- C29 An alarm system must warn the plant operator of the possibility that filter medium breakthrough has occurred.
- C30 All collected material removed from a fabric filter dust collector must be recycled, or removed and disposed of to a facility that can lawfully accept such wastes.
- C31 The FFDC must have the particulate collection efficiency of 99.9 percent and it must be maintained in accordance with the manufactures operating instructions/specifications

Weather Monitoring Station

- C32 The registered operator of an ERA to which this approval relates must install a weather station at the premises and monitor at least rain gauge, wind speed and direction at the site. This information must be used in the investigation of odour and dust complaints and integrated in the implementation of effective odour and dust management systems. The weather monitoring provision must comply with the Australian Standard AS 2923:1987: Ambient air - Guide for measurement of horizontal wind for air quality applications.

Spontaneous combustion of the fuel

- C33 The holder of this development approval must use all reasonable and practicable means to prevent spontaneous combustion of the fuel from occurring.
- For the purpose of this condition, examples of reasonable and practicable measures for the prevention of spontaneous combustion include but not limited to:
- (i) the fuel stockpile shall not exceed 8 metres in height if stored in covered or uncovered windrows;
 - (ii) the fuel stockpile shall not exceed 15 metres in height if stored in enclosed or semi-enclosed storage silos or bunkers which is gravity filled from the top and always reclaimed from the bottom;
 - (iii) the power station shall maintain good housekeeping practices. This shall be accomplished by preventing any sparks and/or open flames from entering or nearing the fuel stockpile (e.g., cigarette butts and matches);
 - (iv) the power station shall maintain a device to monitor and record the temperature inside the fuel stockpile (a minimum of 12 random locations around the fuel stockpile on a weekly basis);
 - (v) if a temperature reading exceeds 90^o C, the fuel stockpile shall be immediately ventilated and or water would be applied in the area of the temperature reading. The ventilating process shall consist of removing the fuel from the area of stockpile. This process shall continue until temperatures below 90^o C are measured.

Ash disposal or management plan

- C34 Three months prior to the commencement of the power station operation, the registered operator, must develop and submit to the administering authority an Ash Disposal or Management Plan.

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Emission controls

- C35 All gaseous emissions from chemical fixation stabilisation and acid/alkali activities that have the potential to release noxious or offensive emissions must be carried out in an area of the plant that is under constant negative pressure at all times when the activities are occurring and must be extracted and treated via a wet scrubber to prevent the release of contaminants to the atmosphere.
- C36 All activities associated with the oily waste receival plant operations must be conducted within enclosed chambers and or areas of the plant that is under constant negative pressure at all times when the activities are occurring.

Emissions from Unloading / Loading Operations.

- C37 All regulated waste receival areas must be roofed and equipped with odour and gas extraction systems for treatment via the on-site emission control devices.

Emission Extraction System.

- C38 The ducting and extraction systems which transfer gaseous emissions from each waste processing area must be properly and effectively constructed, operated and maintained so that no release of contaminants to the atmosphere occurs only from designated release points.
- C39 For the purposes of checking the efficient operation of the wet scrubber and associated equipment, the registered operator of an ERA to which this development approval relates must develop and implement a scrubber efficiency monitoring program. The scrubber efficiency monitoring program must provide for monitoring and recording of the following information:
- (a) time and date of measurements;
 - (b) continuous monitoring of the pH emitted from the scrubber; and
 - (c) at least daily checking of the operational parameter of the scrubber.

Emission Control Maintenance.

- C40 All emission control device(s) must be maintained as specified in the manufacturer's specifications and in a manner to prevent or minimise the release of contaminants to the atmosphere. An emissions control maintenance procedure must be prepared and implemented in accordance with the manufacturers' operating instructions/ specifications.

Biofilter

- C41 The biofilter media must be maintained with a moisture content of between 40 – 80 % at all times during operation.
- C42 For the purposes of checking the efficient operation of the biofilter and associated equipment, the registered operator must develop and implement a biofilter efficiency monitoring program. The biofilter efficiency monitoring program must provide for monitoring and recording of the following information:
- (a) Time and date of measurements;
 - (b) Monthly monitoring of the temperature of the filter bed;
 - (c) Monthly monitoring of the moisture content of the filter bed;
 - (d) Monthly monitoring of the pH of the filter bed;
 - (e) Daily monitoring of the performance of the biofilter through odour assessments to determine whether noxious or offensive odours are being released.

Wet Scrubber

- C43 The wet scrubber must be fitted with a device to monitor the flow rate of liquid through the unit and to

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indicate by both visual and audible alarm functions if liquid flow failure through the unit should occur.

- C44 Equivalent duty back-up pumps must be provided and maintained on site for the transfer of scrubbing water to and from the scrubber.
- C45 All collected material removed from a scrubber must be recycled, or removed and disposed of to a facility that can lawfully accept such wastes.

Schedule D: Water

Release To Waters.

- D1 Contaminants must not be released from the authorised place to any waters (including groundwater) or the bed and banks of any waters.

Stormwater Management.

- D2 Stormwater which has been in contact with contaminants must not be directly or indirectly released from the premises to which this development approval relates to any waters or the bed and banks of any waters except:
- (a) as permitted under the stormwater conditions of this development approval; or
 - (b) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.
- D3 The maintenance and cleaning of vehicles and any other equipment or plant must be carried out in areas from which the contaminants cannot be released into any other waters, roadside gutter or stormwater drainage system.
- D4 Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillages must not be cleaned up by hosing or other means that could release such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Plant and Vehicle Washdown and Maintenance

- D5 All plant washdown and vehicle maintenance must be carried out in the motor vehicle workshop area to prevent contaminants from entering the stormwater.
- D6 Drains and bunds must be provided to ensure uncontaminated surface stormwater runoff is excluded from the plant washdown and vehicle maintenance areas.
- D7 Only plant, equipment and vehicles used as part of the composting and soil conditioning activity e.g. vehicles used to transport organic feedstock to the composting and soil conditioning facility may be washed out in the composting receival bay.
- D8 All vehicles that have entered the place to which this development approval relates beyond the weighbridge must pass through a wheel wash prior to exiting the site to prevent the movement of sediment away from the site.

Stormwater Management Plan.

- D9 The registered operator of an ERA to which this development approval relates must develop and implement a Stormwater Management Plan which details how the registered operator will effectively and appropriately manage the operation of the ERA(s) so as to prevent, as far as is practicable, any contamination of stormwater and any release of contaminated stormwater.
- D10 In developing the Stormwater Management Plan and periodically updating it to incorporate changing

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practices and future options, the registered operator of an ERA to which this development approval relates must have regard to the following hierarchy of preferred methods of dealing with stormwater. Where reasonable and practicable, the method of dealing with stormwater which is higher in the hierarchy must be adopted over another method which is lower in the hierarchy.

Hierarchy of methods of dealing with stormwater

The most preferred method:

- (1) Avoid the contamination of stormwater in the first instance, for example by roofing areas where contaminants and or wastes are stored or handled, diverting uncontaminated stormwater runoff away from areas where contaminants or wastes are stored or handled, by preventing the contact of incident rainfall with contaminants or wastes and utilising alternate materials and or processes;
- (2) Minimise the quantity and or hazardous nature of the contaminated stormwater generated, for example by minimising the size of areas where contaminants or wastes are stored or handled and by utilising alternate materials and or processes;
- (3) Recycling of contaminated stormwater produced, for example by incorporating reuse, reprocessing, and utilisation of the stormwater for a worthwhile purpose; and
- (4) Treatment of any contaminated stormwater to render it less or non-hazardous.

D11 The Stormwater Management Plan must address at least the following matters:

- (a) prevention of incident stormwater and stormwater runoff from contacting wastes or contaminants;
- (b) the separation of uncontaminated and potentially contaminated areas at the authorised place;
- (c) diversion of upstream runoff away from areas containing wastes or contaminants;
- (d) minimisation of the size of contaminated areas;
- (e) cleaning of contaminated areas without water; and
- (f) paving and roofing of contaminated areas.

D12 A copy of the Stormwater Management Plan and any subsequent amendment of the Stormwater Management Plan must be kept at the authorised place and be accessible to personnel that are carrying out the environmentally relevant activity.

Ponds and dams and working pads

- D13 All dams and ponds used for the storage or treatment of contaminants or wastes must be installed and maintained to prevent any discharge through the bed or banks of the pond to any waters (including groundwater).
- D14 Clean uncontaminated stormwater must not be allowed to enter the dams or ponds.
- D15 A clay layer of at least 600 millimetre thickness, which achieves a maximum permeability of not greater than 1×10^{-9} m/s must be maintained in the base and sides of all ponds used to hold waters containing contaminants e.g. leachate ponds.
- D16 A clay layer of at least 600 millimetre thickness, which achieves a maximum permeability of not greater than 1×10^{-9} m/s must be maintained under all composting/soil conditioning, waste transfer and other working pads.

Monitoring of Contaminant Releases to Waters.

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- D17 When requested by the Administering Authority the registered operator of an ERA to which this development approval relates must monitor the quality of stormwater released from the authorised place. The location of any monitoring point(s) and the parameters analysed must be approved by the administering authority.
- Groundwater Monitoring.**
- D18 The registered operator of an ERA to which this development approval relates must implement an on-going Groundwater Monitoring Program, including the development of a suitable groundwater monitoring network, to monitor the quality of groundwater potentially impacted by any direct or indirect release of contaminants associated with any ongoing operations and/or any ERAs and/or Notifiable Activities.
- D19 The Groundwater Monitoring Program must be undertaken every three (3) months for the first twelve (12) months from the issue of this development approval and six (6) monthly thereafter, for the following water quality characteristics:
- (a) pH;
 - (b) Total Nitrogen;
 - (c) Total Phosphorus;
 - (d) Total Dissolved Solids;
 - (e) Electrical Conductivity;
 - (f) Petroleum hydrocarbons (C₆ – C₈, C₁₀ – C₁₄, C₁₅ – C₂₆, C₂₈ – C₃₆);
 - (g) BTEX;
 - (h) Heavy metals (arsenic, cadmium, chromium, copper, lead, nickel and zinc); and
 - (i) Any other parameters specified by the administering authority.
- D20 The groundwater monitoring network must:
- (a) be installed and maintained by a suitably qualified and experienced person; and
 - (b) be constructed in accordance with the Agriculture and Resource Management Council of Australia and New Zealand manual titled Minimum Construction Requirements for Water Bores in Australia, Edition 2, Revised September 2003, or more recent editions or supplements to that document as such become available.
- D21 The method of sampling of groundwater must comply with that set out in the latest edition of the administering authority's *Monitoring and Sampling Manual 2009 - Environmental Protection (Water) Policy 2009* (or updated versions as they become available).
- D22 All determinations of the quality of contaminants released to waters must be made in accordance with, but are not limited to, methods prescribed in:
- (a) AS/NZS 5667:11:1998 – Water Quality – Sampling – Guidance on sampling of groundwater (or updated versions as they become available); and
 - (b) the administering authority's *Monitoring and Sampling Manual 2009 - Environmental Protection (Water) Policy 2009* (or updated versions as they become available).
- Groundwater Monitoring Analysis Reporting.**
- D23 Data from the groundwater monitoring program must be analysed and interpreted to assess the nature and extent of any environmental harm of the ERA(s) and/or Notifiable Activities. The assessment must also include; but not be limited to, the location, nature (confined, unconfined etc.) and quality of each aquifer, define groundwater contours, and indicate direction of flow.

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- D24 The groundwater monitoring, analysis and reporting must be conducted by an appropriately qualified person and must be submitted to the administering authority upon request.
- D25 Any record made of the results of groundwater quality monitoring must be kept for not less than fifteen (15) years from the date the record was made.

Schedule E: Land

Preventing Contaminant Release To Land.

- E1 Contaminants must not be released to land.

Onsite Containment System.

- E2 Spillage of all chemicals and fuels must be contained within an onsite containment system and controlled in a manner that prevents environmental harm.
- E3 All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

Bunding.

- E4 All chemical, fuel and regulated waste drum or container storage must be banded so that the capacity of the bund is sufficient to contain at least 25% of the maximum design storage volume within the bund.
- E5 All chemical, fuel and regulated waste tank storages must be banded so that the capacity of the bund is sufficient to contain at least 100% of the largest storage tank plus 10% of the second largest tank within the bund.
- Note: This condition does not apply to the biological treatment tanks.
- E6 All loading / unloading areas must be banded so that the capacity of the bund is sufficient to contain 100% of the largest compartment of any tanker using the area.
- E7 Stormwater run-off must be prevented from entering a bund unless the bund has sufficient capacity to contain any run-off entering the system in addition to the capacity requirements.
- E8 Any waste that has spilled or leaked into the bund or any accumulated precipitation must be removed from the bund in as timely a manner as is necessary to prevent overflow.
- E9 Where an automatic sprinkler system is required to be installed, the banded volume must be increased by a volume equivalent to 20 minutes of maximum output from that system.
- E10 All bunding must be constructed of materials which are impervious to the materials stored.
- E11 The base and walls of all banded areas must be regularly maintained and kept free from gaps, holes and cracks.
- E12 Collection sump(s) must be provided in the floor of banded areas to facilitate the removal of liquids. The bund floor must be graded so that the fall is towards the collection sump.
- E13 All pipe work from the banded areas must, where practicable, be directed over the bund wall and not through it.
- E14 Where it is not practicable to direct pipe work over a bund wall an effective seal must be maintained

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at all times between the pipe and the bund.

- E15 All bunding must be roofed where practicable.
- E16 Where it is not practicable to completely roof a bunded area, any stormwater collected within the bund must not be discharged to stormwater.
- E17 Stormwater captured within the bunds located in the oily waste process area must be collected and recycled back to the oily waste treatment plant.
- E18 Where vehicle access to a bunded area is required, the access must be by way of a rollover bund.
- E19 All empty drums must be stored on a concrete hardstand area with their closures in place.

Above Ground Tanks.

- E20 All above ground tanks must be clearly identified with an alpha numeric label.

Storage of hydrocarbons

- E21 All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.
- E22 All tanks not in use must have their inlet and outlet valves properly and effectively secured to prevent any unauthorised use.

Tank Register.

- E23 A tank register of all tanks located at the authorised place with a capacity greater than 1000 litres must be maintained in a legible form at the authorised place.

The register must contain, at least the following:

- (a) composition of waste being stored;
- (b) date, name, company and position of the person making the entry; and
- (c) each tank's identification number, process area and volume.

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Schedule F: Noise

Noise Nuisance.

- F1 Noise from an ERA(s) to which this approval relates must not cause an environmental nuisance at a noise sensitive place or commercial place.
- F2 Noise from the authorised place must not exceed the levels specified in **Table 1 –Noise limit criteria** at the nearest noise sensitive place or commercial place.

Table 1 –Noise limit criteria

Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	7am - 6pm	6pm - 10pm	10pm - 7am
Noise measured at a 'Noise sensitive place'						
L _{Aeq,adj} 1 hour	52	37	31	42	37	31
Noise measured at a 'Commercial place'						
L _{Aeq,adj} 1 hour	57	42	36	47	42	36

Note: Guidance for achieving these noise levels has been provided within the report Biomass Generation Plant; Noise Assessment – Revised DRAFT, Phoenix Power Recyclers – Revised prepared by Air Noise Environment Pty Ltd, October 2012.

- F3 Certification must be provided to the Administering Authority from an appropriately qualified person within 3 months from the first day of operation of the Biomass Power Plant that demonstrates that the development meets the noise criteria identified in **Table 1 –Noise limit criteria**.
- F4 In the event that the administering authority receives a noise complaint, which in the opinion of an authorised person is deemed not frivolous, vexatious nor based on mistaken belief, noise monitoring must be undertaken within 2 days or as requested by the administering authority to investigate noise nuisance being caused by the development. In the event noise emissions from the approved activity exceed night time noise limits (10pm – 7am) prescribed by **Table 1 –Noise limit criteria**, the activity(ies) causing the noise nuisance is/are to cease as soon as reasonably practicable until such a time that compliance can be achieved.
- F5 For the purposes of conditions F3 and F4, noise monitoring must be done by an appropriately qualified person in accordance with the latest edition of the administering authority's Noise Measurement Manual and include;
 - a) L_{Aeq,adj} 1 hour;
 - b) L_{AGD}
 - c) The level and frequency of occurrence of impulsive or tonal noise
 - d) Atmospheric conditions including wind speed and direction
 - e) Location, date and time of measurements;
 - f) Effects due to extraneous factors such as traffic noise; and
 - g) Details of measurement instrumentation and measurement procedure.

Schedule G: Waste

- G1 Waste must not be released to the environment, stored, transferred or disposed of contrary to any condition of this development approval.

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G2 Waste must not:

- (c) burned at the authorised place or removed from the authorised place and burnt elsewhere;
- (d) be buried at the authorised place;
- (e) be in contact with soil at the authorised place; or
- (f) directly or indirectly seep or penetrate into the soil, surface waters or groundwater.

Recyclable Wastes

G3 An area must be set aside for the segregation and storage of recyclable solid wastes.

All reasonable and practicable steps must be taken to ensure recyclable waste is not deposited in the general waste stream. Such steps may include, but not be limited to:

- (a) provision of receptacles.
- (b) suitable signs.
- (c) promotion of awareness among staff of the recycling service.

Waste Transport.

G4 Regulated waste must only be removed from the authorised place by a person that can legally transport this waste under the *Environmental Protection Act 1994*.

G5 The registered operator of an ERA to which this development approval relates must ensure that only a transporter possessing a current registration under the *Environmental Protection Act 1994* for the transport of specific regulated waste is used for the removal of the regulated waste from the facility.

G6 The administering authority must be made aware as soon as practicable of all relevant facts, matters and circumstances known concerning any unauthorised, improper or unlawful removal and disposal of regulated waste from the authorised place.

Waste Disposal / Reuse.

G7 Regulated waste generated by the operations at the authorised place must only be disposed of at a facility registered by the administering authority to accept such waste.

Waste Tracking.

G8 The registered operator of an ERA to which this development approval relates must keep and maintain records for every load of regulated waste received and dispatched at the authorised place and must include the following information:

- date of acceptance or dispatch;
- description of waste (including classification under ANZECC code);
- cross reference to relevant waste transport documentation;
- quantity of waste;
- origin or destination of the waste;
- name of the waste transporter and / or disposal operator that removed the waste;
- results of analysis; and
- method of waste treatment, reprocessing, transfer or disposal used (where applicable).

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Composting Facility Design and Operating Criteria

- G9 The registered operator of an ERA to which this development approval relates must ensure that all wastes with potential to generate odour are covered with an inert material or formed into composting windrows or static composting piles within the same day of arrival.
- G10 Urea must only be stored in bags in a roofed storage area.
- G11 Storing of solid raw materials (other than urea), windrow composting, compost remixing, blending and screening operations must be:
 - a) carried out on a hardstand pad, constructed of compacted clay or other low permeable material to minimize soil infiltration.
 - b) the hardstand pad must be graded and bunded to minimise the likelihood of rainwater, contaminated stormwater and / or leachate ponding and pooling.
 - c) Site personnel will regularly monitor the hardstand pad for ponding and pooling of rainwater, contaminated stormwater and / or leachate ponding and pooling on the hardstand pad. Site personnel will use all reasonable and practicable measures to remove the ponding and pooling as soon as practicable.

Composting Operations

- G12 Windrows must not be allowed to turn anaerobic (including post rainfall events).
- G13 All material being composted must be subjected to a pasteurising temperature to ensure the destruction of pathogens, of either:
 - (a) not less than 55^oC for three (3) consecutive days; or
 - (b) between 50^oC and 55^oC for twelve (12) days.
- G14 To facilitate the subjection of all composted material to the pasteurising temperatures and time periods prescribed in condition G13, a minimum temperature of 50^oC must be maintained within the composting windrow(s) for a period of not less than six (6) weeks.
- G15 To minimise the death of effective microbes which aid the composting process the temperature of open windrow composting must not exceed 67^oC.
- G16 Windrows of composting materials must be established and maintained as discrete entities with two metres between each windrow.
- G17 Open windrows must be turned no later than when the temperature is 67^oC using the following method:
 temperatures must be taken from four (4) equidistant points along the length of the windrow at each sample point, three (3) temperature readings, equidistant from the center of the windrow and at 100 mm from the outer surface of the windrow.
- G18 Compost material, derived from sewage sludge product, for off-site use must not exceed any quality characteristic limits specified in Schedule G - Table 2:

Schedule G - Table 2
Quality Characteristics for Process Verification (For Off-Site Use Only)

QUALITY CHARACTERISTIC	QUALITY CHARACTERISTIC LIMIT
Enteric viruses	< 1 PFU per 4 grams total solids
Helminth ova (<i>Ascaris sp.</i> and <i>Taenia sp.</i>)	<1 per 4 grams total solids

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G19 Notwithstanding condition G18, compost material derived from sewage sludge product must not exceed any quality characteristic limit specified in Schedule G - Table 3: Quality Characteristic limits

Schedule G - Table 3
 Quality Characteristics Limits

QUALITY CHARACTERISTIC	QUALITY CHARACTERISTIC LIMIT	
	FOR OFF-SITE UNRESTRICTED USE	FOR OFF-SITE RESTRICTED USE
Arsenic (mg/kg)	20	20
Cadmium (mg/kg)	3	5
Chromium (total) (mg/kg)	100	250
Copper (mg/kg)	100	375
Lead (mg/kg)	150	150
Mercury (mg/kg)	1	4
Nickel (mg/kg)	60	125
Selenium (mg/kg)	5	8
Zinc (mg/kg)	200	700
DDT/DDD/DDE (mg/kg)	0.5	0.5
Aldrin (mg/kg)	0.02	0.2
Dieldrin (mg/kg)	0.02	0.2
Chlordane (mg/kg)	0.02	0.2
Heptachlor (mg/kg)	0.02	0.2
HCB (mg/kg)	0.02	0.2
Lindane (mg/kg)	0.02	0.2
BHC (mg/kg)	0.02	0.2
PCB's(mg/kg)	0.3	0.3
<i>E.coli</i> (MPN/gram)	<100	

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Faecal coliforms (MPN/gram)	<1000
<i>Salmonella sp.</i>	Not Detected/50 grams of final product

Note: Off site restricted use incorporates public contact sites, urban landscaping, forestry, soil and site rehabilitation.

- G19a Compost material derived from the addition of landfill leachate must not exceed any quality characteristic as detailed in **Schedule G, Table 3a: Quality Characteristic limits**

**Schedule G - Table 3a:
 Quality Characteristic Limits**

Parameter	Units	Quality Characteristic Limit For off-site restricted use
Arsenic (mg/kg)	mg/kg	20
Cadmium (mg/kg)	mg/kg	5
Chromium (total) (mg/kg)	mg/kg	250
Copper (mg/kg)	mg/kg	375
Lead (mg/kg)	mg/kg	150
Mercury (mg/kg)	mg/kg	4
Nickel (mg/kg)	mg/kg	125
Selenium (mg/kg)	mg/kg	8
Zinc	mg/kg	700
Halogenated Organics (AOX)	mg/kg	0.5
Monocyclic Aromatic Hydrocarbons	mg/kg	1
Polycyclic Aromatic Hydrocarbons	mg/kg	0.1
TPH - C6-C9	mg/kg	10
TPH - C10-C14	mg/kg	50
TPH - C15-C28	mg/kg	100
TPH - C29-C36	mg/kg	100

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<i>E.coli</i> (MPN/gram)	<100	<i>E.coli</i> (MPN/gram)
Faecal coliforms (MPN/gram)	<1000	Faecal coliforms (MPN/gram)
<i>Salmonella sp.</i>	Not Detected/50 grams of final product	<i>Salmonella sp.</i>

Note: Offsite restricted use incorporates public contact sites, urban landscaping, forestry, soil and site rehabilitation.

G20 Windrow temperature monitoring must be conducted throughout the whole profile of each static or open windrow.

Monitoring of Sewage Sludge Product

G21 Verification for pathogen reduction to achieve the limits stated in Schedule G - Table 2 must be undertaken at least quarterly.

G22 Each finished stockpile containing sewage sludge product derived from composting processes must be monitored to confirm that the sewage sludge product complies with the respective limits for each quality characteristic specified in **Schedule G - Table 3: Quality characteristic limits**. The sample obtained to determine compliance with **Schedule G - Table 3 Quality Characteristic limits** and in condition G18 must:

- (a) be a composite sample displacing not less than five (5) litres obtained by thoroughly mixing not less than five (5) individual grab samples of approximately equal size; and
- (b) comprised of sub-samples taken one for at least each hundred (100) cubic metres of product; and
- (c) be obtained by digging holes at equidistant intervals along the mid height of the heap of product to a depth of approximately 400mm.

G22a Each finished stockpile (2000 m³) containing landfill leachate product derived from composting processes must be monitored to confirm that the landfill leachate product complies with the respective limits for each quality characteristic specified in Schedule G - Table 3 (b). The sample obtained to determine compliance with **Schedule G - Table 3a: Quality Characteristic limits** must:

- (a) be a composite sample displacing not less than five (5) litres obtained by thoroughly mixing not less than ten (10) individual grab samples of approximately equal size; and
- (b) the individual grab-samples taken one for at least each two hundred (200) cubic metres of product; and
- (c) be obtained by digging holes at equidistant intervals along the mid height of the heap of product to a depth of approximately 400mm.

Leachate Monitoring

G23 The registered operator of an ERA to which this development approval relates must monitor and record quality of leachate or stormwater runoff which has been in contact with raw materials, wastes or contaminants used for, and/or resulting from, carrying out the activity on the approved place, for, at least, the following water quality characteristics every three months:

- 1) Nitrogen as Ammonia and Nitrate
- 2) Arsenic

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- 3) Cadmium
- 4) Calcium
- 5) Chromium (total)
- 6) Copper
- 7) *E Coli*
- 8) electrical conductivity
- 9) pH (field measured)
- 10) Lead
- 11) Phosphorus (total)
- 12) Sodium
- 13) Sulphate
- 14) Total Organic Carbon (TOC)
- 15) Zinc
- 16) BTEX (i.e. benzene, toluene, ethyl benzene, xylene) ^a

^a –In the event that BTEX is detected, further metabolites relative to the soil contaminants must be monitored at this time.

Waste Sampling and Monitoring Program

G24 The registered operator of an ERA to which this development approval relates must:

- (a) develop and implement a waste sampling and monitoring program which is to address, at least the following issues:
 - (i) all specification limits adopted for processing or storing of wastes at the composting facility;
 - (ii) all specification limits required for off-site storing, treatment, recycling or disposal;
 - (iii) methodology to be used in the sampling and monitoring of all wastes received at the composting facility or to be transported for off-site storing, treatment, recycling or disposal;
 - (iv) methodology to be used in the assessment of all analyses, measurements and observations for all wastes received at the composting facility or to be transported for off-site storing, treatment, recycling or disposal;
 - (v) any responses in the event of detection of waste contamination in excess of the allowed specification limits; and
 - (vi) proposals for keeping record(s) of any analyses, measurements and observations for all wastes received at the composting facility or to be transported for off-site storing, treatment, recycling or disposal; and
- (b) from commencement of the activity, lodge a proposal for the waste sampling and monitoring program with the administering authority for review and comment; and
- (c) have due regard to comment made by the administering authority on the proposal for the waste sampling and monitoring program prior to the implementation; and
- (d) one (1) month from the commencement of the activity, have completed and implemented the waste sampling and monitoring program.

Schedule H: Social

Complaint Response.

H1 The registered operator of the ERA to which this development approval relates must record the following details for all complaints received and provide this information to the administering authority on request. A record of following information must be kept for a period of three (3) years:

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- (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) actions taken as a result of the complaint investigation; and
- (vii) signature of responsible person.

Public Nuisance.

- H2 The registered operator of an ERA to which this development approval relates must:
- (i) install and operate all works and control equipment, and
 - (ii) take all measures, perform all acts and do all things, necessary to ensure that the carrying out of the ERA(s) does not cause any adverse effect on public amenity or any nuisance.
- H3 In the event of any adverse effect upon public amenity and/or any nuisance arising from the conduct of the ERA(s), the registered operator of an ERA to which this approval relates must take all reasonable measures and carry out any such works as may be necessary to:
- (a) abate such adverse effects and such nuisance; and
 - (b) prevent the likelihood of any recurrence of the circumstances which gave rise to such adverse effects and/or such nuisance.

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Schedule I: Definitions

Words and phrases used throughout this development approval¹ are defined below. Where a definition for a term used in this permit¹ is sought and the term is not defined within this permit¹ the definitions provided in the relevant legislation shall be used.

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

"annual return" means the return required by the annual notice (under section 316 of the *Environment Protection Act 1994*) for the section 73F registration certificate that applies to the development approval.

"approved plans" means the plans and documents listed in the approved plans section in the notice attached to this development approval.

"appropriately qualified person/analyst" means

- (1) a person appointed under the Queensland *Health Act 1937* as a State analyst. The *Health Act 1937* provides a definition for an analyst, being: "a person appointed under this Act as a State analyst or a person holding accreditation of a kind prescribed under a regulation"; or
- (2) a person holding a National Association of Testing Authorities (NATA) signatory; or
- (3) a person who:
 - a. either –
 - (i) is the holder of a degree in Science or Applied Science conferred after due examination by a University or College of Advance Education in Queensland; or
 - (ii) is the holder of a degree in Science or Applied Science conferred after due examination by a University, College of Advanced Education or other Tertiary Educational Institution outside Queensland and that is to the like effect as a degree conferred by a University or College of Advanced Education in Queensland; or
 - (iii) has corporate membership of the Royal Australian Chemical Institute; and
 - b. has gained at least three (3) years' practical experience in chemical bacteriological or other specialist analysis sufficient to demonstrate the persons capacity to maintain a high level of performance in all aspects of the performance of the particular analysis; or
- (4) a person working under the direct supervision of a person mentioned in (1), (2) or (3) above.

"authorised place" means the place authorised (126 Sandy Creek Road, Yatala, QLD 4207 described as Lot 1 on Plan RP158896) to carrying out of the environmentally relevant activities to which this development approval relates.

"AQIS" means the Australia Quarantine and Inspection Service.

"bg" = background noise level

"biomass" means green waste as defined in Schedule 9 of the Environmental Protection (Waste Management) Regulation 2000

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

"construction and demolition waste" and "C&D waste" means waste resulting from carrying out a construction or demolition activity, but does not include paper, cardboard, unseasoned timber, vegetation, paper-covered plasterboard, metals (other than steel reinforcing rods) and regulated waste.)

"day" means a business day (Monday to Friday)

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

"approval" means a decision notice or a negotiated decision notice that—

- (a) approves, wholly or partially, development applied for in a development application (whether or not the permit has conditions attached to it); and

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(b) is in the form of a preliminary permit, a development approval or an approval combining both a preliminary permit and a development approval in the one approval.

"development approval" authorises assessable development to occur—

- (a) to the extent stated in the permit; and
- (b) subject to—
 - (i) the conditions in the permit; and
 - (ii) any preliminary permit relating to the development the permit authorises, including any conditions in the preliminary permit.

"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.

"general waste" means waste other than regulated waste.

"incompatible waste" means - hazardous waste which is unsuitable for (1) placement in a container because it may cause corrosion or decay of the container or inner liner; or (2) commingling with another waste or material under uncontrolled conditions because it might produce heat or pressure, fire or explosion, violent reaction, toxic dusts, mists, fumes or gases, or flammable fumes or gases.

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

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.
- In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 – 1997 Acoustics – Description and Measurement of Environmental Noise Part 2 – Application to Specific Situations.

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

" $L_{A90, T}$ " means an A-weighted sound pressure level, obtained using time-weighting 'F' that is exceeded for 90% of the measuring period (T).

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

"mg/L" means milligrams per litre.

"Leachate" means a liquid that has or is likely to have percolated through or emerged from waste, and which contains soluble, suspended or miscible materials derived from such waste or decomposition of such waste'.

"Normal cubic metre (Nm^3)" means the volume of dry gaseous contaminant which occupies 1 cubic metre at a temperature of zero degrees Celsius and at an absolute pressure of 101.3 kilopascals.

"noise sensitive place". means –

- 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.

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

"NTU" means nephelometric turbidity units.

"nuisance sensitive place" means –

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or

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- 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.

"NPI NEPM" means National Environment Protection (National Pollutant Inventory) Measure 1998 made under the *National Environment Protection Council Act 1994* (Cwith), section 14.

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

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

"regulated waste" means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 2008* (whether or not it has been treated or immobilised), and includes -

- for an element - any chemical compound containing the element; and
- anything that has contained the waste.

"registered operator" means the person holding a registration certificate issued under section 73F of the *Environmental Protection Act 1994* to carry out the ERA to which this development approval relates. In the event that the ERA is not being carried out by a person holding a registration certificate for the purposes of compliance with this permit registered means the person carrying out the activity.

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

"start-up" means those activities involved in preparing a unit to achieve process conditions.

"shutdown" means those activities involved in preparing a unit to be taken off line.

"trackable waste" means the definition in Schedule 9 of the *Environmental Protection (Waste Management) Regulation 2000*. A substance is trackable waste if it is regulated waste of a type mentioned in Schedule 1 of the *Environmental Protection (Waste Management) Regulation 2000*.

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

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

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

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

"w/w" means w/w measured as weight prior to and after drying at 100 degrees Celsius in an oven or approximately if one drop is liberated from one handful of material being squeezed hand tight.

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

"Odour Unit (ou)" means that concentration of odorant(s) at standard conditions that elicits a physiological response from a panel (detection threshold) equivalent to that elicited by one Reference Odour Mass (ROM), evaporated in one cubic metre of neutral gas at standard conditions as measured under AS/NZS-4323.3:2001 - Australian and New Zealand Standard, Stationary source emissions - Determination of odour concentration by dynamic olfactometry

"Odour emission rate" ("ou.m³/s") means the arithmetic product of the odour concentration of the release of contaminants and the volume rate of discharge (in wet cubic metres per second referred to a temperature of zero degrees Celsius and a pressure of 101.3 kilopascals.

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Volatile organic compounds (VOC) means any chemical compound based on carbon chains or rings with a vapour pressure greater than 2mm of mercury (0.27 kPa) at 25°C), that participate in atmospheric photochemical reactions. The substances that are specifically excluded are: methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides and carbonate salts. This is according to the definition of VOC outlined in the Australian Government National's Pollutant Inventory

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Schedule J: Attachments

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Attachment 1 – Site Plan - Environmental Controls (drawing number 1341-A011)



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END OF CONDITIONS