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ABN 85 946 116 646

Your Reference:
Our Reference: CW: mw: 22-01 (FID88356, COM001-21/22, 12177-90300-000, ID1668872)
Contact: enquiries@banana.qld.gov.au

01 February 2022

Novum Nona Pty Ltd
C/- HDE Engineering Design Professionals
Attn: George Glab
PO Box 2191
WANDAL QLD 4700

Dear Sir/Madam

Decision Notice – Approval
(Given under section 63 of the Planning Act 2016)

Application Number: COM001-21/22
Description: Material Change of Use (Medium Impact Industry - End of Life Tyre Facility) (Environmentally Relevant Activity 7 & 61)
Operational Works (Driveway Access & Pavement Works)
Level of Assessment: Code Assessable
Site Address: 1 ARNEIL STREET, BILOELA
Lot & Plan Details: Lot 16 on SP317572

On 25 January 2022, at Council's Ordinary Meeting (OM005232), the above development application was approved in full subject to conditions. The conditions of this approval are set out in Attachment 1. These conditions are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

1. Details of Approval

The following approvals are given:

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Making a Material Change of Use assessable under the planning scheme	s20	☑	☐
Operational Works	s20	☑	☐

2. Approved Plans

The approved plans and/or documents for this development approval are listed in the following table:

Plan/Document number	Plan/Document name	Date
6198-C-011 (Rev B)	Master Plan	03/12/21
6198-C-012 (Rev B)	Site Plan	03/12/21
6198-C-013 (Rev B)	Floor Plan – Shed	03/12/21
6198-C-014 (Rev B)	Floor Plan	03/12/21
6198-C-015 (Rev B)	Elevations	03/12/21
6198-C-016 (Rev B)	Elevations	03/12/21
6198-C-1013 (Rev A)	Vehicle Turning Plan	08/12/2021
6198-RPT-014 (Rev A)	Erosion and Sediment Control Plan	03/12/21
6198-RPT-015 (Rev A)	Construction Environmental Management Plan	08/12/2021
6198-RPT-017 (Rev A)	Stormwater Management Plan	08/12/2021

3. Further Development Permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- Operational Works
- Building Works
- Plumbing & Drainage

4. Conflict with relevant instrument and reasons for the decision despite the conflict.

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

5. Submissions

Not applicable (Public Notification not required)

6. Referral Agencies

The referral agency for this application was:

Name of referral agency	Advice agency or concurrence agency	Referral Basis	Address
Chief Executive - Queensland Treasury - State Assessment Referral Agency (SARA)	Concurrence	Schedule 10, Part 5, Division 4, Table 2	RockhamptonSARA@dsdmip.qld.gov.au Fitzroy & Central Region PO Box 113 ROCKHAMPTON QLD 4701

7. Currency Period for the Approval

This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016.*

8. Statement of Reasons

Description of the development	Material Change of Use for Medium Impact industry for an end of life Tyre Facility, Environmentally Relevant Activity (ERA 7 and 61) and Operational Works for Driveway Access and Pavement Works
Assessment Benchmarks	Industry Zone Code Development Design Code
Reasons for Decision	Industry Zone Code The development complies or has been conditioned to comply with all applicable Acceptable Outcomes. Development Design Code The development complies or has been conditioned to comply with all applicable Acceptable Outcomes.

9. Appeal rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the *Planning Act 2016.* For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the Planning Act 2016.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the Planning Act 2016.

Attachment 2 is an extract from the Planning Act 2016 that sets down the applicant's appeal rights and the appeal rights of a submitter.

The Planning and Environment Court appeals database lists all the appeals lodged in the Planning and Environment Court since 15 March 2008, which the department has been notified of. It contains information about the appeal, including the appeal number, site address, local government area, and a copy of the appeal notice, including grounds for the appeal. The appeal database is an easy way for anyone to obtain information about an appeal or check if an appeal has been lodged for a specific development application or approval.

The appeal database is available at https://planning.dsdmip.qld.gov.au/planning/our-planning-system/dispute-resolution.

Should you require further assistance in relation to this matter, please do not hesitate to contact Council's Development Services section on (07) 4992 9500, quoting you application number of COM001-21/22.

Yours Sincerely

Chris Welch
DIRECTOR COUNCIL SERVICES

CC All Referral Agencies (both advice and concurrence)

State Assessment and Referral Agency (SARA)
rockhamptonSARA@dilgp.qld.gov.au

NONA BILOELA ASSETS PTY LTD
43 BRINDABELLA CIRLCE
THORNLANDS QLD 4164

Enc Attachment 1 – Part A Conditions imposed by the Assessment Manager
Attachment 1 – Part B Assessment Manager Notes
Attachment 1 – Part C Conditions imposed by SARA
Attachment 2 – Appeal Rights
Attachment 3 – Approved Drawings
Attachment 4 – Infrastructure Charges

COM001-21/22 Attachment 1

Part A - Conditions imposed by the Assessment Manager

Section 1 – Development Permit – Material Change of Use – Medium Impact Industry (End of Life Tyre Facility) and Environmentally Relevant Activities (ERA 7 – Chemical Manufacturing & ERA 61 – Thermal Waste Processing and Treatment)

General

1 The proposed Material Change of Use is to be completed and carried out generally in accordance with the following approved plans and reports submitted with the Development Application, except where modified by the conditions of this Development Approval –

Plan/Document number	Plan/Document name	Date
6198-C-011 (Rev B)	Master Plan	03/12/21
6198-C-012 (Rev B)	Site Plan	03/12/21
6198-C-013 (Rev B)	Floor Plan – Shed	03/12/21
6198-C-014 (Rev B)	Floor Plan	03/12/21
6198-C-015 (Rev B)	Elevations	03/12/21
6198-C-016 (Rev B)	Elevations	03/12/21
6198-C-1013 (Rev A)	Vehicle Turning Plan	08/12/2021
6198-RPT-014 (Rev A)	Erosion and Sediment Control Plan	03/12/21
6198-RPT-015 (Rev A)	Construction Environmental Management Plan	08/12/2021
6198-RPT-017 (Rev A)	Stormwater Management Plan	08/12/2021

2 Comply with all of the conditions of this Development Approval prior to the commencement of the use, unless otherwise stated within this Decision Notice, and maintain compliance for the duration of the approved use.

3 Exercise the approval and complete all associated works, including any relocation or installation of services, at no cost to Council.

4 Alterations to public utilities, mains and services made necessary in connection with any of the works arising from this approval including works to restore and reinstate all roads are to be completed at no cost to Council.

5 Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner at the following times:

a Immediately if the damage would cause a hazard to pedestrian or vehicle safety,; or

b Upon completion of the works associated with the development.

6 Any repair work which proposes to alter the alignment or level of existing services and assets must first be referred to the relevant service authority for approval.

7 No permanent structure or part of a structure is to be located within an easement.

Building works

8 The applicant shall obtain a development permit for building work associated with the demolition/new work associated with the approval.

9 The applicant shall obtain a development permit for all plumbing and drainage work including the removal of redundant pipework.

10 All plant and equipment including compressors, air conditioners and the like are to be housed and screened to ensure that no harm or nuisance is caused.

11 Any lighting or illuminations associated with the development are to be designed in accordance with *Australian Standard: AS 4282 Control of the obtrusive effects of outdoor lighting*, to ensure that no nuisance is caused to adjoining or adjacent premises and to road users.

Operations

12 A plan of action for a fire emergency must be developed. This plan must be approved by the Commissioner, Queensland Fire and Rescue Service. A copy of the approved plan must be provided to Council.

13 Tyres are to be stored in accordance with the *Public Health Act 2005* to ensure no public health risk, and specifically Division 2 of the *Public Health Regulation 2018*, which specifically relates to the accumulation of water which may create a breeding ground for mosquitos.

Road work and access

14 A crossover/driveway is to be provided in accordance with an Operational Works approval and as per the following:

- **a** Access to and egress from site is to be generally in accordance with approved drawing 6198-C-1013;
- **b** Vehicles entering and exiting the site must be completed in a forward gear; and
- **c** The vehicle crossover is to be constructed as per the proposed plan and in accordance with the requirements of the Capricorn Municipal Development Guidelines (Standard Drawing CMDG-R-042 or CMDG-R-043). Please note that the dimensions listed on this standard drawing are considered the minimum required for compliance. Engineering plans are to clearly dimension proposed accesses.

15 Vehicle access to development is limited to the constructed driveway only and relocation of this driveway is prohibited without Council agreement.

16 Contact is to be made with "Dial Before You Dig' before construction of any of the work commences in order to determine the location of any underground services adjoining the premises. Any damage to any services are to be repaired at no cost to Council.

17 Any damage to the existing road surface, services or furniture as a result of construction work is to be repaired to the pre-existing condition at no cost to Council.

Vehicle Parking and Manoeuvring Areas

18 A minimum of 14 car parking spaces must be provided and marked on the site, and made available and accessible at all times while the use is open for business. The works must be undertaken in accordance with the Operational Works approval and must include in particular:

- **a** Visitor/staff parking spaces, which are clearly marked and/or delineated, accessible at all times for use, located and fully contained within the title boundaries of the site;
- **b** Concrete pedestrian pathways so as to allow the ingress and egress of pedestrians to the site and allow for pedestrian access from the parking area to the proposed use;
- **c** 1 disabled parking space within the total number of car parking spaces located in the EV charging area and delineated as per the requirements of the Manual of Uniform Traffic Control Devices (MUTCD); and
- **d** Crossfalls and gradients in accordance with Australian Standard AS2890: Parking Facilities.

19 All car parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.

20 All vehicle car parking spaces that adjoin a landscaped area must include a 150mm high vertical concrete kerb or similar obstruction to prevent encroachment.

21 No vehicle storage or parking is permitted on the adjoining road reserve.

22 Directional signage must be provided to direct visitors and customers to the car parking spaces provided on site.

23 Internal roadway and pathway lighting must be provided as part of the resubmission of engineering drawings for the Operational works application to include lighting at all operational times for the proposed EV recharging area.

Pedestrian facilities

24 Pedestrian facilities are to be provided for the development as per the requirements of the Capricorn Municipal Development Guidelines. The works must be undertaken in accordance with the Operational Works approval and must include in particular:

a Adequate separation of all specific pedestrian routes from vehicle access and manoeuvring areas, and clear demarcation by pavement marking, signposts or changes in surface materials or levels;

b Signage at strategic locations to direct people to building entries;

Water and Sewerage Infrastructure

25 Prior to commencement of the use the applicant shall connect the premises to Council's reticulated water and sewerage infrastructure. All redundant services are to be removed at no cost to Council. The water connection shall be through a single water supply connection. Separate application is to be made to Council for any new or enlarged connection.

26 The owners are responsible for maintenance of the private sewer lines within the site. Council's responsibility ends at the inspection opening close to the north-eastern boundary.

27 Construction works in the vicinity of Councils water or sewerage infrastructure must not adversely affect the integrity of that infrastructure. Any work associated with the repair, replacement or alteration to the infrastructure is to be completed at no cost to Council.

Stormwater Quality

28 Stormwater management is to be undertaken in accordance with the approved Stormwater Management Plan dated 08 December 2021, designed and constructed, prior to the commencement of use. The design shall ensure that stormwater does not intercept potential contaminant areas and all spillages and wash down waters are directed to the gross pollutant trap.

29 Stormwater runoff is to discharge to Council's stormwater drainage system or a legal point of discharge. Associated engineering drawings to accompany the approved Stormwater Management Plan are to be provided to Council for approval prior to any works progressing on site. This plan must comply with the requirements of the Capricorn Municipal Development Guidelines.

30 Stormwater from the site (including roof water) shall be collected within the property boundaries and discharged via an underground system to Council's stormwater system. Engineering drawings demonstrating the proposed discharge location/s are to be provided for Council approval as part of an Operational Works application. Engineering drawings are to include but not limited to:

a Proposed discharge locations;
b Member sizes, alignments and grades;
c Connection details; and
d Internal pit locations

31 Oil, grease or other hydrocarbons separated using the oil separator/gross pollutant trap are to be removed by an approved trade waste contractor to an approved liquid waste treatment facility.

32 Releases to stormwater must not cause any visible oil slick or other visible evidence of oil or grease, nor contain visible grease, scum, litter or floating oil.

33 Grated drains are to be provided at both driveway entrances and designed to trap stormwater and sediments prior to its discharge to the kerb.

34 Ponding of stormwater resulting from the development must not occur on adjacent properties.

35 The stormwater drainage system serving the site is to be designed so that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves.

36 Stormwater formerly flowing onto the site must not be diverted onto other properties.

37 All stormwater being discharged from the site is to meet the requirements of the Capricorn Municipal Development Guidelines and the Queensland Water Quality Guidelines 2009.

38 During construction, the Developer is to undertake sedimentation and erosion control management as per the approved Erosion and Sediment Management Plan.

Fuel Storage and Refuelling Equipment

39 Areas of potential contamination must not be affected by stormwater and designed to intercept all surface water adjacent to areas on which a vehicle can stand while being fuelled or while transferring petroleum products to holding tanks by appropriate grading or bunding.

40 All aboveground bulk fuel storage containers or tanks must be manufactured to comply with *Australian Standard AS 1692 Steel Tanks for Flammable and Combustible Liquids* and *Australian Standard AS 1657 Fixed Platforms, Walkways, Stairways and Ladder - Design, construction and installation* (where applicable), and be located to comply with *Australian Standard AS1940 The storage and handling of flammable and combustible liquids*.

41 All ground surfaces within refuelling areas must be constructed of impervious material such as concrete or equivalent (asphalt is not suitable) and must be maintained free of gaps or cracks.

42 All fuel bowsers and dispensers must be designed to comply with *Australian Standard / New Zealand Standard AS/NZ 2299 Fuel dispensing equipment for explosive atmospheres* and be located to comply with *Australian Standard AS1940 The storage and handling of flammable and combustible liquids*.

43 All inlets to bulk fuel storage tanks must be located to ensure that bulk fuel delivery tankers can stand wholly within the subject land while transferring fuel.

44 Bulk fuel transfers carried out in refuelling areas must ensure that tanker delivery standing areas are graded and drained to the blind sump containment vessel or stormwater treatment product servicing the refuelling area.

Waste

45 Trade waste discharge to Council's reticulated sewerage system is in accordance with Council's adopted Trade Waste Policy.

46 Contaminants, including contaminated water, are not directly or indirectly released from the premises.

47 On-site general waste storage areas are:

a located no closer than 5m to any site boundary;
b segregated from the site's stormwater drainage;
c provided with an impervious base that is drained to an approved waste disposal system;
d provided with a dedicated hose cock; and
e enclosed on 3 sides to a minimum height of 0.2m above the height of the waste bins;

Amenity

48 A register must be kept of all genuine complaints received by the applicant about an environmental nuisance, and be made available for Council inspection including details of any investigation, monitoring or action undertaken.

Hours of Operation

49 Loading and unloading of delivery vehicles occurs within the site between the hours of 7:00am and 6:00pm, Monday to Saturday. No loading or unloading of delivery vehicles occurs on Sundays or Public Holidays

Landscaping

50 Landscaping to a depth of two metres and/or screen fencing is to be provided to the full road frontages, excluding access points, to reduce the visual impact of stockpile areas when viewed from the street.

51 Landscaping and fencing within six metres of an intersection has a maximum height of 500mm.

52 Landscaping is not to result in any risk to the functioning of the stormwater drainage infrastructure along the north eastern boundary of the site.

53 A basic landscape plan is to be submitted for approval. The plan is to show the following:

- **a** Landscape specification of sufficient detail so that landscape works can be carried out;
- **b** The type and location of all proposed plant species, in accordance with Council's Landscaping Planning Scheme Policy;
- **c** Landscaping along any road frontage, within two metres of the property boundary is to have a maximum mature height of 900mm, except where required by Condition 35, or a minimum clear trunk height of 1.5m;
- **d** Proposed shading of the car park area;
- **e** Details of any proposed irrigation system;

54 The landscaping is to be maintained by the developer (i.e., watering, fertilising, mulching, weeding, and the like) as per the landscaping plans approved by Council.

Infrastructure Contributions

55 Refer to the Adopted Infrastructure Charges Notice associated with this Development Permit for details of Infrastructure Contributions. These contributions must be paid prior to commencement of the approved use.

Section 2 – Development Permit – Operational Work – (Driveway Access & Pavement Works)

Approved Plans

1 The proposed development must generally comply with the following approved plans and reports submitted with the Development Application, except where modified by the conditions of this Development Approval:

Plan/Document number	Plan/Document name	Date
6198-C-011 (Rev B)	Master Plan	03/12/21
6198-C-012 (Rev B)	Site Plan	03/12/21
6198-C-1013 (Rev A)	Vehicle Turning Plan	08/12/2021
6198-RPT-014 (Rev A)	Erosion and Sediment Control Plan	03/12/21
6198-RPT-017 (Rev A)	Stormwater Management Plan	08/12/2021

2 Amended Drawings are to be submitted to Council for review and consideration for approval. Drawings are to include full construction details and RPEQ certification, be stamped "For Construction" for the following:

a Vehicle manoeuvring infrastructure, including driveways and parking areas;

b Sediment and Erosion Control, construction phase;

c Any other relevant engineering drawings required for the completion of these works;

3 This approval is issued on the understanding that the design complies with the Capricorn Municipal Development Guidelines, Council's planning scheme and with all conditions of associated relevant decision notices.

4 It is a condition of this permit that any errors in the design are the responsibility of the Applicant, and any rectification which may be required due to these errors are to be completed with no cost to Council.

Insurance and Indemnity

5 From the commencement of works until the completion of the Maintenance Period, the works must be insured against public liability ($10 million dollar minimum cover) and other claims arising from the works, and Council must be indemnified against liability. Council must be included as an interested party on the insurance policy. Evidence of the insurance and indemnification are to be submitted to Council before commencing the works.

Access/Driveway

6 Driveway crossovers must be constructed in accordance with the requirements of the Capricorn Municipal Development Guidelines (CMDG-R-042 or CMDG-R-043).

7 The following must be complied with during the construction of the required crossover/driveway:
- **a** The driveway must be constructed so as not to concentrate stormwater runoff onto neighbouring properties;
- **b** A construction joint is to be installed five hundred millimetres (500mm) either side of any underground services as part of the access driveway. Markers are also to be placed in the concrete identifying the type of underground service located under the driveway; and
- **c** The longitudinal gradient and crossfall of all driveways must comply with the requirements of the Capricorn Municipal Development Guidelines;

8 Any access must be located a minimum of one metre (1m) clear of any power poles, streetlights or other signage. Any relocation of existing services that may be required so as to provide the necessary clearance are to be completed at no cost to Council. Contact is to be made to be service authorities before the commencement of these works and the requirements of these organisations with regards to the works are to be followed.

Stormwater

9 Works associated with this application must not adversely impact on the existing stormwater drainage conditions on other properties (e.g. By blocking or interfering with natural overland flows).

10 Lot is to be shaped to ensure that all land is free draining to eliminate areas of ponding (with the exception of any drainage reserves).

Notice to Commence Works/Pre-start Meeting

11 A 'Notice of Intention to Commence Works' (included as part of this approval) is to be completed and submit to Council seven (7) days prior to the commencement of construction activities. Details of the organisation responsible for the construction works, and their direct contact details, are to be provided on this form.

12 A Pre-start Meeting must be convened on-site with a Council officer prior to commencing works. The pre-start meeting must review:
- **a** Representatives, roles and contact details of the Developer, Engineering Consultant(s), Specialist Consultant(s), contractor and Council officer(s);
- **b** Conditions of the Operational Works approval;
- **c** Construction methodology and program (including inspection schedule);

d Site access;
e Identification of existing infrastructure;
f Traffic Management (eg. Detours, construction of side tracks, traffic control, etc.);
g Site safety inductions and plans;
h Requirements of other authorities and legislation; and
i Insurance and indemnity.

13 Works must not commence until the requirements of a pre-start meeting have been satisfied.

Pre-start Requirements

14 A Traffic Management Plan in accordance with the requirements of the current Queensland Department of Transport and Main Roads '*Manual of Uniform Traffic Control Devices*' (MUTCD) is to be submitted to Council prior to the commencement of construction. The plan is to be signed by and suitably qualified person (name and qualification/s shown) and a copy is to be retained by the on-site staff.

15 Traffic control measures as per the approved Traffic Management Plan are to be put in place prior to the commencement of construction.

16 Contact must be made with 'Dial Before You Dig' prior to the commencement of construction in order to determine the location of any underground service utilises in the construction area. Care must be taken to avoid damage to service utilities identified. Any damage to these services must be repaired at no cost to Council.

17 Any of Council's underground services located within the construction area are to be identified prior to excavation. An indicative location of these services can be obtained from Council.

Inspections

18 Inspections are required for the works in accordance with the Capricorn Municipal Development Guidelines. The following inspections are required, and must be witnessed by Council Officer(s), as part of this approval:
a Formwork check for cast in-situ concrete footpaths, driveways and structures (headwalls, etc.);
b All works at 'Practical Complete'

19 The Council Officer(s) inspecting the site must be allowed to conduct other regular site inspections, subject to normal WH&S requirements, in order to monitor development progress and general compliance with the Operational Works approval.

20 On completion of all works completed within the road reserve, required as part of this development, a 'Final Inspection / On Maintenance Inspection Form' (included as part of this approval) is to be submitted to Council. A minimum five (5) business days notification is to be given prior to the date of this inspection.

Final Completion

21 On completion of all works, required as part of this development, a 'Final Inspection / On Maintenance Inspection Form' (included as part of this approval) is to be submitted to Council. A minimum five (5) business days notification is to be given for the date of this inspection.

22 The works will be accepted as finally complete subject to, but not limited to, the satisfaction of the following:

a Certification of Completed Works
A Registered Professional Engineer of Queensland (RPEQ) must certify that the completed works comply with this development approval, the specific outcomes of the applicable regulations and good engineering practice.
A Registered Surveyor must certify that the locations, surface and invert levels of all works and infrastructure presented on the 'as constructed' drawings and digital submissions have been surveyed and are true and accurate representations of the works.

b As Constructed Drawings
Digital copies of the 'As Constructed Works' (dwg or dxf file formats, a signed hard copy and a copy converted to PDF A1 format correctly scaled to A3 size) must be submitted and approved.

c Test Results
A single quality control document must be submitted, including but not be limited to:
- Concrete Tests
- Landscaping Soil Tests

d Final Inspection and Compliance Check
Council must be satisfied with the results of the 'Final Inspection' and compliance check against the development approval/s conditions. Once all defects identified in the 'Final Inspection' have been rectified Council will issue a 'Final Completion Certificate' for the works.

Relocation of Utilities

23 Any relocation and/or alteration to public utility installation, that may be required as a result of any works carried out in connection with this development, is to be completed at no cost to Council.

General

24 Any damage that occurs to Council assets that occurs as a result of the development works and creates a hazard that presents risk to person or property is to be repaired immediately, at no cost to Council. Any other

damage to Council assets must be repaired prior to completion of the works.

25 Safe pedestrian access on all streets in the vicinity of the development must be maintained at all times. Should footpath/road closures be necessary to carry out construction works, Council is to be contacted for permission prior to the proposed closure and all requirements/conditions of the closure are to be complied with.

26 Should construction be abandoned before the full completion of the works, as per the approved plans, remediation of the site is to be completed at no cost to Council.

27 Any infrastructure laid as part of the development in a location, alignment, depth or manner not in accordance with these conditions or standards (non-standard works) or without Council consultation and approval will, if required by Council, have to be relocated at the no cost to Council, unless written approval for the non-standard works is given by Council.

28 In areas where the verge is not a nominal 3% from the back of the kerb, Council shall be contacted to determine final levels. Installation of service infrastructure at the existing level may compromise Council's ability for subsequent verge or footpath construction. Similarly where the verge rises either side of a driveway, service infrastructure depths shall be set at a level that allows the verge to be cut down to achieve an accessible path of travel as per the requirements of the Capricorn Municipal Development Guidelines.

END OF CONDITIONS

COM001-21/22 Attachment 1

Part B – Assessment Manager Notes

A The approval to which these conditions attach may also be subject to an *adopted infrastructure charges notice*. See s119 of the *Planning Act 2016.*

B The approved development must also comply with Council's current Local Laws under the *Local Government Act 2009.*

C Failure to ensure ongoing compliance with the conditions of this Development Approval including conditions relating to the ongoing use of the premise, and the design and layout of the development may constitute an offence under the *Planning Act 2016.*

D The applicant is responsible for ensuring Queensland Fire Services requirements are met with respect to this development which may include but not be limited to the installation/upgrade of holding tanks or pumps as necessary to meet flow and pressure requirements.

E Where further development is proposed it is the applicant's / developer's responsibility to ensure further approvals are sought as required by the Banana Planning Scheme.

F The applicant and or owner/s of the land and the person/s responsible for the management of the premise is/are to ensure ongoing compliance with conditions of this Development Permit including conditions relating to the ongoing use of the premise, and the design and layout of the development.

G Pursuant to section 75 of the *Local Government Act 2009*, Council's written approval is required to carry out works on a road, or interfere with a road or its operation. This requirement applies to all Council-controlled roads within its local government area. The process for obtaining approval is set out in Council's *Local Law No. 1 (Administration) 2011.* Approval must be obtained prior to the commencement of the works.

Operational Works

General

A Prior to commencing any of the following construction activities the applicant/developer will be required to obtain a development permit for operational work:

i earthworks;
ii stormwater drainage; and
iii landscaping.

B Operational works designs are to be in accordance with Capricorn Municipal Development Guidelines - CMDG Design Specifications and Standard Drawings (www.cmdg.com.au), unless otherwise stated in a condition of the Development Approval.

C Traffic Disruption Notification – Council is to be notified of any work requiring traffic management. This is to ensure that there is no conflict of works. Council would appreciate a period of seven (7) working days notice.

D The most up to date of the approved plans (stamped 'Approved') should be the only plans kept onsite.

E Preferred material of stabilised sand for backfill requirements is recommended by Council.

F If total works exceed $150,000.00, copy of paid Q-Leave form to be supplied to Council.

G No stockpiling of materials is permitted on the road reserves adjoining the site unless approved by Council through a Minor Works on Roads application for storing materials on a road reserve.

H Any areas disturbed by the works associated with this approval are to be restored to the original condition, which includes, but not limited to, levelling, compaction to prevent future sinking, top soiling and turf (or seed with a compatible grass seed mixture in rural areas).

J Service location paint markings, required during construction, on hard surfaces (pathways, roads, etc.) must be non-permanent and must be removed after work is complete. Use of crayon, chalk or water-based paint is suggested. The marking of grassed areas is preferred.

Correspondence

A All correspondence with Council is to be through Council's Infrastructure Services Department. Contact Details:

Address: Banana Shire Council
PO Box 412
Biloela QLD 4715
Phone: (07) 4992 9500
Fax: (07) 4992 3493
Email: enquiries@banana.qld.gov.au

Inspections

A A minimum forty-eight (48) hours advance notification is to be given to Council for all compliance inspections, there will be no exceptions. Inspections are to be requested by submission of the appropriate Council form (copies of these forms are included with this decision notice).

B An inspection fee, as per Council's fees and charges, is to be paid prior to the inspection being conducted.

C A reinspection fee, as per Council's fees and charges, will be applicable where an additional inspection is required due to works being incomplete or unsatisfactory at the initial inspection. The reinspection fee must be paid prior to the additional inspection being conducted.

D Inspections can be coordinated through Council's Infrastructure Services Department. Council can be contacted on (07) 49 929 500 or by email at enquiries@banana.qld.gov.au .

Satisfaction of Approval Conditions

A Unless explicitly stated elsewhere in this permit, all requirements of the conditions of this approval must be satisfied prior to Council accepting the works Finally Complete/On Maintenance. Council may, at its absolute discretion, agree to accept other forms of security to guarantee compliance with conditions yet enable early acceptance of the works Finally Complete/On Maintenance.

Limitation of Approval

A Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application (including its supporting material provided to Council as part of the application and assessment process). Council and its officers rely upon the certification by a Registered Professional Engineer Queensland concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the Applicant as to its accuracy and completeness. Council must be indemnified against any claim from a third party arising from inaccuracy or incompleteness of the Application or its supporting material.

Specifications and Drawings

A Council's specifications and standard drawings are available at www.cmdg.com.au.

B Reference should be made to Council's Standard Drawings for Stormwater Drainage details in lieu of IPWEAQ standard drawings unless otherwise nominated by Council.

Access to Council Infrastructure and Satisfaction of Works on Adjoining Allotments

A A written approval from the adjoining property owner should be provided to Council to allow entry to their property to carry out the works associated with this development prior to the works commencing.

B Should the approval not be obtained from the adjoining property owner after having made all reasonable efforts then Council will determine whether to enact its powers under the provisions of the *Planning Act 2016.*

C Written clearance from the owners of all properties that have been entered onto to carry out works associated with the development is to be submitted prior to the works being accepted 'On Maintenance'. The clearance is to state the owner's satisfaction with the re-establishment of the property and is to indemnify Council against all future claims associated with the works.

D Should the clearance not be obtainable from the adjoining property owner/s after having made all reasonable attempts then Council is to be provided with evidence of the attempts to obtain clearance along with any issues Council considers to be outstanding.

Workplace Health and Safety

A Works must not commence unless the requirements of the Workplace Health and Safety Act have been met. All necessary steps to ensure public safety in relation to construction activities are to be taken during construction.

Cultural Heritage

A This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that, "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage".

Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. Maximum penalties for

breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships

Environment

A The *Environmental Protection Act 1994* lists obligations and duties to prevent environmental harm, nuisances and contamination. The two primary duties that apply to everyone in Queensland are:

i **general environmental duty** – which means a person must not carry out any activity that causes or is likely to cause environmental harm, unless measures to prevent or minimise the harm have been taken; and

ii **duty to notify of environmental harm** – to inform the administering authority and landowner or occupier when an incident has occurred that may have caused or threatens serious or material environmental harm.

B It is an offence under the *Environmental Protection Act 1994* to cause environmental nuisance. Environmental nuisance includes unreasonable interference caused by noise, dust, fumes, odour, smoke, aerosols, particles or light.

C It is an offence under the *Environmental Protection Act 1994* to discharge or permit a prescribed water contaminant to enter a stormwater drain, roadside gutter or a watercourse. Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the *Environmental Protection Act 1994*.

D In carrying out the activity or works associated with the development, all reasonable and practical measures are to be taken to minimise releases and the likelihood of releases of contaminants to the environment, except as otherwise provided by the conditions of this development approval.

E It is an offence under the *Waste Reduction and Recycling Act 2011* to leave litter behind or allow litter to blow from site. All waste must be appropriately contained on site prior to removal.

F Trap Gully Landfill is the only approved waste facility within the Banana Shire for the disposal of commercial waste, limited regulated waste, clean fill or low level contaminated soil. Testing of soil for contaminants may be required.

G No commercial or regulated waste, clean fill or low level contaminated soil is to be deposited at other Banana Shire landfills or transfer stations without prior written approval from Council.

H It is an offence under Local Law No.3 (Community and Environmental Management) 2011, to allow an allotment to become overgrown with vegetation and/or accumulate objects to an extent that seriously effects visual amenity and/or is likely to harbor or attract reptiles.

Declared Pests/Plants

A A landowner has an obligation to take reasonable steps to keep their land free of invasive plants and animals in accordance with the *Biosecurity Act 2014*. Consideration should be given to appropriate treating of invasive plants, where necessary, in the construction and operational phases of the proposed development to meet the obligations under this Act.

B It is an offence to move or transport a vehicle on a road, if it is known, or ought to be known, that it or its load is contaminated with a declared plant. Before moving a contaminated vehicle, either

- **i** The load must be contained to prevent the release of any contaminated / reproductive material; or
- **ii** The vehicle must be cleaned so that all contaminated / reproductive material is removed.

Numerous washdown (cleandown) facilities are available within the Shire to help remove weed seeds, soil and other foreign matter from vehicles and machines, and Council staff are available to conduct vehicle inspections.

Mosquito breeding

A The site is required to be appropriately drained so that water is not allowed to accumulate or pond in a manner that may allow mosquito breeding, as required under the *Public Health Regulation 2005*.

END OF NOTES

COM001-21/22 Attachment 1

Part C - Conditions imposed by the SARA

Queensland Government

SARA reference: 2111-25922 SRA
Council reference: COM001-21/22
Applicant reference: 6198

10 January 2022

Chief Executive Officer
Banana Shire Council
PO Box 412
Biloela Qld 4715
enquiries@banana.qld.gov.au

Dear Sir/Madam

SARA response—1 Arneil Street, Biloela

(Referral agency response given under section 56 of the *Planning Act 2016*)

(Referral agency response given under section 28 of the Development Assessment Rules)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 16 November 2021.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the *Planning Act 2016*, SARA advises it has no requirements relating to the application.
Date of response:	10 January 2022
Conditions:	The conditions in **Attachment 1** must be attached to any development approval.
Advice:	Advice to the applicant is in **Attachment 2**.
Reasons:	The reasons for the referral agency response are in **Attachment 3**.

Development details

Description:	Development permit	Material Change of Use for a Environmentally Relevant Activity being Medium Impact Industry (End-of-life tyre facility).
SARA role:	Referral Agency.	

Fitzroy/Central regional office
Level 2, 209 Bolsover Street,
Rockhampton
PO Box 113, Rockhampton QLD 4700

SARA trigger:	Schedule 10, Part 5, Division 4, Table 2, Item 1 (Planning Regulation 2017) Development application for a material change of use being an environmentally relevant activity
SARA reference:	2111-25922 SRA
Assessment Manager:	Banana Shire Council
Street address:	1 Arneil Street, Biloela
Real property description:	16SP317572
Applicant name:	Novum Nona Pty Ltd
Applicant contact details:	Level 1 - 18 Albert St Rockhampton QLD 4700 george.glab@hde.com.au
Environmental Authority:	This referral included an application for an environmental authority under section 115 of the *Environmental Protection Act 1994.* Below are the details of the decision: • Approved • Reference: P-EA-100182383 • Effective date: The date the development approval (reference 2111-25922 SRA) takes effect • Prescribed environmentally relevant activity (ERA): ERA 7(5)(b) – Chemical manufacturing; ERA 61(2)(b) – Thermal waste reprocessing and treatment If you are seeking further information on the environmental authority, the Department of Environment and Science's website includes a register. This can be found at: www.des.qld.gov.au

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules)
Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Jacklyn Neyenhuis, Planning Officer, on 4924 2907 or via email RockhamptonSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Joanne Manson
A/Manager (Planning)

cc Novum Nona Pty Ltd, george.glab@hde.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations provisions

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the *Planning Act 2016* its regulation or the State Development Assessment Provisions (SDAP) [v2.6]. If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for SARA's decision are:

- The proposed development is a material change of use for an environmentally relevant activity being medium impact industry (end-of-life tyre facility).
- The proposed development meets the acoustic and air quality objectives as the sensitivity of the surrounding receptors is low due to the system being enclosed and operating closed to the atmosphere.
- The proposed chemicals used and produced on site will be contained within secondary containment to prevent and minimise releases to the environment.
- The proposed development is considered to be minor and generally in accordance with the requirements of the State Development Assessment Provisions of State code 22.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version [2.6])
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 3—Change representation provisions

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules[1] regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.

28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—

(a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or

(b) the Minister has given the concurrence agency a direction under section 99 of the Act; or

(c) the applicant has given written agreement to the change to the referral agency response.[2]

28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.

28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—

(a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and

(b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

---

1 Pursuant to Section 68 of the *Planning Act 2016*

2 In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.[3]

[3] An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Attachment 2
Planning Act 2016 Extract on Appeal Rights

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 states–
(a) matters that may be appealed to–
(i) either a tribunal or the P&E Court; or
(ii) only a tribunal; or
(iii) only the P&E Court; and
(b) the person–
(i) who may appeal a matter (the appellant); and
(ii) who is a respondent in an appeal of the matter; and
(iii) who is a co-respondent in an appeal of the matter; and
(iv) who may elect to be a co-respondent in an appeal of the matter.

(2) An appellant may start an appeal within the appeal period.

(3) The appeal period is–
(a) For an appeal by a building advisory agency–10 business days after a decision notice for the decision is given to the agency; or
(b) For an appeal against a deemed refusal–at any time after the deemed refusal happens; or
(c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises–20 business days after a notice is published under section 269(3)(a) or (4); or
(d) for an appeal against an infrastructure charges notice–20 business days after the infrastructure charges notice is given to the person; or
(e) for an appeal about a deemed approval of a development application for which a decision notice has not been given–30 business days after the applicant gives the deemed approval notice to the assessment manager; or
(f) for any other appeal–20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person. Note– See the P&E Court Act for the court's power to extend the appeal period.

(4) Each respondent and co-respondent for an appeal may be heard in the appeal.

(5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

(6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about–
(a) the adopted charge itself; or
(b) for a decision about an offset or refund–
(i) the establishment cost of trunk infrastructure identified in a LGIP; or
(ii) The cost of infrastructure decided using the method included in the local government's charges resolution.

Attachment 3
Approved Drawings

HDE

ENGINEERING DESIGN PROFESSIONALS

Erosion and Sediment Control Plan
End of Life Tyre Recycling Facility
1 Arneil Street, Biloela
Lot 16 on SP317572

Banana Shire Council
PLANNING APPROVAL

25 JAN 2022

COM001-21/22

Novum Nona Pty Ltd
43 Brindabella Circuit
Thornlands QLD 4164

Project number – 6198

REV	Author	Date	Approved	Description
A	G. Fields	03/12/2021	G. Glab	For Approval

Table of Contents

EXECUTIVE SUMMARY

This Erosion and Sediment Control Plan (ESCP) is for the Site Erosion and Sediment Control measures associated with the construction works for the End of Life Tyre Recycling Facility on 1 Arneil Street, Biloela. This report is to be read in conjunction with all the engineering plans for the site and the Site Based Stormwater Management Plan prepared by HDE Engineering Design Professionals Pty Ltd and the relevant statutory approvals for the site.

1. Site Erosion and Sediment Hazard

Where practical the soil erosion hazard is to be kept as low as possible, at all times.

1.1. Hydrologic impact

The impacts on the downstream overland flow path due to the finished development have been considered as part of the Site Based Stormwater Management Plan. This ESCP aims to address the hydrologic impact and control erosion within the site and assess whether a sediment basin is required.

1.2. Site Physical Characteristics Constraints and Opportunities

The areas site is located at a low rainfall area, with a generally flat slope. In the subsequent sections, a step-by-step analysis will identify issues and impact for determining sediment treatment.

1.3. Erosion Hazard Assessment

The following hazard factors have been considered in putting together the Soil Erosion and Sediment Control Plan that in enclosed in **Appendix A**.

1.3.1. Slope

The existing topography of the site is flat given the recent subdivisional earthworks to establish the allotment. With the formation of the area into the proposed industrial site grade within the lot is approximately 1%.

1.3.2. Soil Classification

Soil tests will be completed prior to construction to determine the relevant characteristics. The results of the site investigation will be incorporated into this document prior to a pre-start meeting.

1.3.3. Duration of Soil disturbance

It is intended that the civil construction program take between 12-16 weeks, with the pavement portion of the work taking up to four weeks subject to weather conditions. Upon completion of works, the site will be stabilised and subject to inspection by the Superintendent.

1.3.4. Waterway Disturbance

No waterways are to be disturbed as a part of these works.

1.3.5. Rehabilitation Method

The finished surface of the site will be rehabilitated according to its location and intended final use. The site will have a respectively high pavement coverage with the perimeter and landscaping zones to be vegetated in accordance with Council's policies and species selection.

1.3.6. Receiving environment

The lot contains an existing overland flow path and inter-allotment drainage network on the eastern boundary. Run off from the overland flow path ultimately discharges into Callide Creek to the north.

1.3.7. External Catchments

The site is subject to runoff from external catchment areas to the south via an inter-allotment drainage network that was designed and constructed to service the site as part of the overall industrial subdivision.

Given the external catchments are intercepted by the piped drainage system the dominant proportion of runoff will effectively bypass the surface of the site. Only major runoff has the potential to enter the site via surcharge of the minor drainage system and will be contained within the overland flow easement along the eastern boundary of the site.

2. Sediment Retention Basin Design

2.1 Methodology – Type D Soils

To verify whether a sediment basin was required for the construction phase an assessment was completed using the IECA sediment basin design guidelines. In the absence of the geotechnical data we assumed a Type D soil type, which is the most conservative choice for the analysis. The characteristics of Type D soils are presented in the following table.

Table 1 – Type D Sediment Basin Soil Conditions

Basin Type	Catchment Soil Condition
D	More than 33% finer than 0.02mm More than 10% dispensable materials (1)

(1) Soils that 'dispense' when immersed in water.

The calculations for the sediment basin analysis are enclosed in Appendix B. The results indicate that there is no requirement for a Type D basin for the proposed construction within the site on the basis the work is undertaken in a timely manner relative to the local climatic conditions.

3. Sediment and Erosion control devices

The following devices are proposed to be used during the construction of the site.

3.1 Sediment Fences

Sediment fences are to be constructed as close as possible to follow the contours of the site and specifically along the top of the batter to the overland flow path. Sediment fences are to be installed in accordance with the standard details supplied in the IECA Guidelines.

3.2 Mulching / Revegetation

All batters and slopes not being turfed or seeded are to be mulched and planted immediately after final formation.

3.3 Filter Dams

It is proposed to construct a rock filter dam as an emergency measure adjacent to the downstream boundary of the site to catch any sediment that escapes the proposed treatment train. The filter dam consists of large rock rubble weir, faced on the upstream side with 20-30mm screenings. The weir will allow trickle flows through the structure with the intention that sediment and suspended particles will bind to the screenings and /or drop out before exiting the site and entering the creek line proper. Refer IECA Guidelines for standard details.

3.4 Field Inlet Filters

As inlets are built and their inlet structures formed filters are to be placed immediately to minimise the amount of sediment entering the pipework and the sediment ponds. This will allow for sediment to be trapped as close to the source as possible.

4. Stormwater Quality Improvement Devices

4.1 GPT's

Prior to connection to the existing inter-allotment drainage network proprietary GPT's are to be installed. Once installed, these devices will collect large particle sediment that is washed into the pipe system from the site works. These devices are to remain as part of the overall stormwater quality treatment train for the site and will also have the ability to retain any free oils spilled within the site during the construction phase.

5. Erosion and Sediment Controls Phasing

5.1 Phase 1 – Prior to Commencement of Construction

With the initial phase of construction commencing on the site bunds and sediment fences are to be constructed adjacent to the overland flow path. The rock filter dam is also to be constructed at this stage.

5.2 Phase 2 –Civil construction

As the pavement and pipe systems are installed the field inlet filters will be provide as they are constructed. Civil construction is expected to take approximately between 12-16 weeks.

5.3 Phase 3 – Post construction

On completion of the construction of all works within the site the controls are to remain in place until full stabilisation of landscape areas. On completion the GPT will have been installed to ensure long term management of sediment in site runoff during rainfall events.

6. Maintenance and management

6.1 Maintenance considerations

Maintenance inspections must be carried out least weekly and prior to and after rainfall events. The Site Foreman is responsible for the maintenance of all sediment and erosion control devices.

6.2 Site Management

Management of the site is by the Principal Contractor and is responsible for the appropriate construction and sequence of installation of all devices and measures contained in this document and as indicated on the Erosion and Sediment Control Plans. The Superintendent may, at their discretion, direct the contractor to carry out additional controls as and when required. Refer to the SBMP for all management controls.

6.3 Maintenance Program

The contractor is to follow the attached Inspection and Testing Program and to carry out weekly inspections of all devices, during the construction period. Specific inspections of all devices is required prior to any rainfall event and after to ensure devices are operational.

6.4 Post-Construction

When works are complete and final inspections carried out the monitoring program will reduce to monthly inspections and before and after rainfall events.

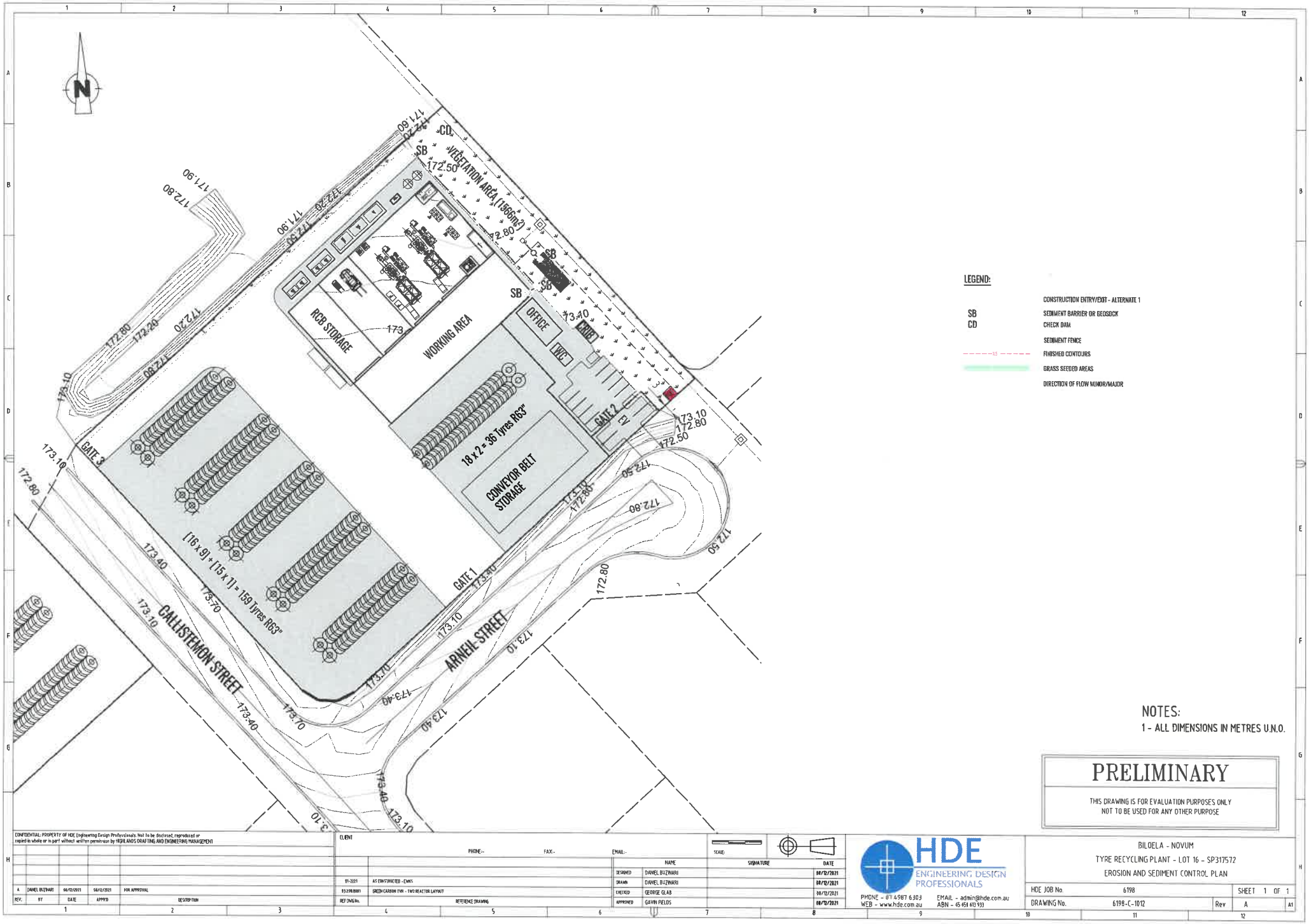
6.5 Erosion and Sediment Control Plan review

The plans and report making up the erosion and sediment control plan are to be reviewed and updated as required, by the Superintendent, following consultation with the Contractor, Developer and Councils representative if required.

6.6 Water Quality Criteria

Water Quality criteria for discharge from the site is established in the State Planning Policy 2017 in Appendix 2 Table A.

Appendix A: Erosion and Sediment Control Plan



NOTES:
1 - ALL DIMENSIONS IN METRES U.N.O.

PRELIMINARY

THIS DRAWING IS FOR EVALUATION PURPOSES ONLY
NOT TO BE USED FOR ANY OTHER PURPOSE

REV.	BY	DATE	APPR'D	DESCRIPTION
A	DANIEL BUZNARI	08/12/2021		FOR APPROVAL

CLIENT
PHONE:- FAX:- EMAIL:-

REF DWG No.	REFERENCE DRAWING
93298/0001	GREEN CARBON TVH - TWO REACTOR LAYOUT
93-2021	AS CONSTRUCTED - EWIS

SCALE:

	NAME	SIGNATURE	DATE
DESIGNED	DANIEL BUZNARI		08/12/2021
DRAWN	DANIEL BUZNARI		08/12/2021
CHECKED	GEORGE GLAB		08/12/2021
APPROVED	GAVIN FIELDS		08/12/2021

HDE ENGINEERING DESIGN PROFESSIONALS
PHONE - 07 4987 6303
WEB - www.hde.com.au
EMAIL - admin@hde.com.au
ABN - 65 651 613 933

BILOELA - NOVUM
TYRE RECYCLING PLANT - LOT 16 - SP317572
EROSION AND SEDIMENT CONTROL PLAN

HDE JOB No.	6198	SHEET	1 OF 1
DRAWING No.	6198-C-1012	Rev	A

A1

Appendix B: Sediment Basin Design Calculation and Assessment

1. Erosion Hazard and Sediment Basins

Site Name: End of Life Tyre Recycling Facility

Site Location: 1 Arneil Street, Biloela

Precinct/Stage:

Other Details:

Site area	Sub-catchment or Name of Structure						Notes
	1						
Total catchment area (ha)	1.35						
Disturbed catchment area (ha)	1.215						
Soil analysis (enter sediment type if known, or laboratory particle size data)							
Sediment Type (C, F or D) if known:	D						If known. Type D is worst-case.
% sand (fraction 0.02 to 2.00 mm)							Enter the percentage of each soil fraction. E.g. enter 10 for 10%
% silt (fraction 0.002 to 0.02 mm)							
% clay (fraction finer than 0.002 mm)							
Dispersion percentage							E.g. enter 10 for dispersion of 10%
% of whole soil dispersible							Pg 3.15 (IECA, 2008)
Soil Texture Group	D						Automatic calculation from above
Rainfall data							
Rainfall R-factor (if known)							Only need to enter one or the other here
IFD: 2-year, 6-hour storm (if known)	10.11666667						
RUSLE Factors							
Rainfall erosivity (*R*-factor)	2260						Auto-filled from above
Soil erodibility (*K*-factor)	0.025						RUSLE LS factor calculated for a high rill/interrill ratio. See Appendix E of IECA (2008)
Slope length (m)	130						
Slope gradient (%)	1						
Length/gradient (*LS*-factor)	0.22						
Erosion control practice (*P*-factor)	1.3	1.3	1.3	1.3	1.3	1.3	
Ground cover (*C*-factor)	1	1	1	1	1	1	
Calculations Erosion Hazard							
Soil loss (t/ha/yr)	16						
Soil Loss Class	1						Pg 3.4 (IECA, 2008)
Soil loss (m^3/ha/yr)	12						Conversion to cubic metres - assumes 1.3 t/m3
Is a Basin Required?	No	No	No	No	No	No	Refer to Table B1 Pg B.6 (IECA, 2018)

Sediment Basin Type

Soil/Catchment Details

Duration of soil disturbance	< 12 months						<70% effective ground cover (C ≥ 0.05)
Is the soil coarse?	No						< 33% finer than 0.02mm & ≤ 10% dispersive
Are WQOs likely to be met by Type C basin?	No						Particle settlement testing is recommended
Is automated dosing reasonable or practicable?	No						Does physical layout allow forebay inflow?
Required Basin Type	N/A	N/A	N/A	N/A	N/A	N/A	Refer to Table B2 Pg B.7 (IECA, 2018)

Version 5.2

HDE

ENGINEERING DESIGN PROFESSIONALS

Construction Environmental Management Plan
1 Arneil Street, Biloela
Lot 16 on SP317572

Novum Nona
43 Brindabella Circuit
Thornlands QLD 4164

Project number – 6198

REV	Author	Date	Approved	Description
A	G. Fields	08/12/2021	G. Glab	For Approval

Table of Contents

List of Tables

1. Preamble to the Environmental Management Plan

1.1. Terminology

The term **Principal** refers to the owner/developer of the site.

The **Contractor** refers to the party or company performing construction works on site, and includes all employees of the Contractor and sub-contractors.

The **Superintendent** refers to the civil engineering consultant, employed by the Principal, to administer the contract for the construction of the works.

Council refers to the Banana Shire Council

DES refers to the Department of Environment and Science

EMP refers to this Environmental Management Plan

1.2. Contractual Obligations

This EMP addresses the requirements for the environmental management of the works during both the construction and operational phases.

The **construction phase** refers to the period from the commencement of works on site to the substantial completion of the works. During this phase, the Contractor is generally responsible for ensuring that the provisions of the EMP are met.

The **operational phase** refers to the period following completion of the construction activity, whether for an individual element of the works, or the entire project. An Operational Environmental Management Plan has been prepared separate to this document.

The operational phase relates to the period from substantial completion of the works to the expiry of the contract defects liability period. The Contractor is also generally responsible for ensuring that the provisions of the EMP are met during this period, and that the completed works function as intended.

Upon the expiry of the defects liability period, the works completed under this contract will be maintained by the Principal.

Until the expiry of the defects liability period, the EMP should be regarded as a condition of the contract between the Contractor and the Principal. Although the Principal may hold ultimate responsibility to ensure that the works comply with relevant environmental legislation, such as the Environmental Protection Act (EPA) 1994 and the Environmental Protection (Water and Wetland Biodiversity) Policy 2019 (EP(WWB)P), these responsibilities, during the construction and operational phases, are assumed by the Contractor.

1.3. Corrective Action

In the event of corrective action under the EMP being required, the Contractor shall complete a corrective action request (CAR) form. A sample form is included in Appendix A. The Contractor is required to maintain a register of CAR's, which shall demonstrate that all required corrective measures have been completed.

1.4. Management of the Site

The following personnel can be contacted regarding the management of the site during both construction & operational stages.

- **Developer:** **Novum Nona Pty Ltd**
  Contact Person: Mr Rowan Kendall
  Contact Ph No.: 0419 022 179
- **Superintendent:** **HDE Engineering Design Professionals Pty Ltd**
  Contact Person: George Glab
  Contact Ph No.: (07) 4845 4435
- **Contractor:** **To be Advised**
  Contact Person: TBA
  Contact Ph No.: TBA
- **Local Authority:** **Banana Shire Council**
  Contact Person: TBA
  Contact Ph No.: (07) 4992 9500
- **Government Agencies:** **DES**
  Contact Person: TBA
  Contact Ph No.: TBA

2. Site Factors

2.1. General Description

The proposed Tyre Recycling Facility is located at 1 Arneil Street, Biloela. The proposed construction works include paving, site drainage, internal water and sewerage plumbing, electrical conduits, landscaping and building works.

3. Methodology

3.1. Construction

A Site Based Management Plan (SBMP) will be developed by the selected contractor(s) to incorporate the requirements of this EMP with the proposed construction methodology.

The SBMP shall also address any additional requirements contained within the approvals to undertake the works, obtained by the Principal.

Staging plans, developed by the Contractor to minimise the extent of areas disturbed at any time, shall be included in the SBMP.

3.1. Monitoring

All site monitoring shall be conducted in accordance with the requirements of this EMP and any additional requirements contained within the approvals obtained by the Principal.

These requirements shall be incorporated into the SBMP and approved by the Superintendent, prior to works commencing on site. Any discrepancies shall be brought to the attention of the Superintendent during the development of the SBMP.

ELEMENT C1 – SITE CONTROL AND WASTE MANAGEMENT PLAN

POLICY:	To maintain construction compounds in a neat and tidy state without build up of litter and to provide a safe facility for the storage of construction equipment and materials.
PERFORMANCE OBJECTIVES:	The site shall be maintained in a safe and tidy condition. Waste materials generated on site shall be stored in safe temporary storage prior to final disposal. All relevant Council by-laws shall be complied with.
CONTROL MEASURES:	As part of the SBMP, the Contractor shall establish a Litter and Waste Control Plan to manage the collection, storage and removal of all litter and waste on the site, whatever its origin. Litter and waste, including pre-existing materials, construction wastes, human waste, used oils and any other surplus materials, shall not be disposed of on site. Material shall not be burnt or buried on site. All such materials shall be collected as they are accumulated, using appropriate methods to enable their future removal from the site. All such materials shall be stored on site in approved secure, confined area(s). Specific areas shall be set aside for the storage of construction materials. In particular, a safe storage location for fuels and oils shall be provided in accordance with AS 1940 "The Storage and Handling of Combustible Liquids". This area shall be bunded in compliance with the standard.
MONITORING:	The Contractor shall monitor the construction and record details of work areas, fencing, storage locations and access roads. Weekly inspections of the site by the Contractor to verify locations and storage of litter and waste on the site.
REPORTING:	Records of removal of oils, litter and waste shall be maintained by the Contractor.
CORRECTIVE ACTION:	Non-conformance with the Litter and Waste Control Plan shall be recorded by the Contractor and a corrective action request (CAR) issued. All CAR's shall be included in the Non-conformance Register maintained by the Contractor. The Contractor shall implement the corrective action, as required, within the agreed time frame noted in the CAR. The Contractor shall advise the Superintendent upon completion of the corrective action.

ELEMENT C2 – COMMUNITY AMENITY

POLICY:	To minimise the impact of construction activities on the local community.
PERFORMANCE OBJECTIVES:	Unreasonable disruption to the residential amenity of the local area shall not occur. If a complaint is received, the cause of the complaint shall be investigated and, so far as it is the responsibility of the Contractor to do so, the cause of the complaint shall be remedied.
CONTROL MEASURES:	As part of the SBMP, the Contractor shall establish an induction program, to the satisfaction of the Superintendent, to inform all site workers, prior to their commencement on the site, of the environmental protection requirements and practices on the site. The Contractor shall advise local residents of proposed construction activities that may impact upon them and establish a system to receive complaints and comments. The Contractor shall advise the Superintendent prior to the issue of a notice to residents.
MONITORING:	The Contractor shall maintain records of induction training, and all communications with residents.
REPORTING:	The Contractor shall submit monthly reports to the Superintendent. These reports shall include records of communications with residents and full details of any contentious issues and actions taken.
CORRECTIVE ACTION:	Non-conformance shall be documented, by the Contractor, and a corrective action request (CAR) issued. All CAR's shall be included in the Non-conformance register maintained by the Contractor. The Contractor shall implement the corrective action, as required, within the agreed time frame noted in the CAR. The Contractor shall advise the Superintendent upon completion of the corrective action.

ELEMENT C3 – AIR QUALITY

POLICY:

To minimise the impact of construction activity on air quality.

PERFORMANCE OBJECTIVES:

To comply with the *Environmental Protection Act*, the subordinate *Environmental Protection Policy (Air)*, Council By-Laws and health and safety requirements.

If air quality complaints are received by the Contractor or Council, from adjacent residents, the Contractor will investigate these complaints. If necessary, air quality control measures shall be reviewed and upgraded.

If a legitimate dust complaint is received, the Contractor shall implement air quality monitoring. If the results of this monitoring exceed the limits in

Table 1 Air Quality Criteria as per EPP (Air) 2019 – Dust Emission

, action shall be undertaken to reduce dust emissions from the site.

CONTROL MEASURES:

General

To manage air quality control on the site, the Contractor shall establish, as part of the SBMP, an Air Quality Control System, to the satisfaction of the Superintendent, prior to commencing work. The following specific issues shall be addressed:

Fumes

All equipment shall be efficient, operated in accordance with established operating procedures and maintained to minimize exhaust emissions. Engines shall not be left idling needlessly.

All vehicles and plant shall be properly maintained, to ensure that emission levels are less than the limits defined by relevant Commonwealth Department of Transport and Regional Services, Federal Office of Road Safety, Australian Design Rules:

- ADR30 Diesel Engine Exhaust Smoke Emissions
- ADR36 Exhaust Emission Control for Heavy Duty Vehicles
- ADR37 Emission Control for Light Vehicles
- ADR70 Exhaust Emission Control for Diesel Engine Vehicles

Odours

All materials (e.g. paints) which generate fumes or odours shall be properly stored and used with efficient equipment and in accordance with established procedures.

Dust

Dust control measures shall be implemented for all processes that generate dust. Where considered necessary, windbreak screens shall be employed between work areas and abutting industrial areas. Oil must not be used for the suppression of dust.

Earthworks

Earthworks shall be managed to control dust generation. Specific control measures include:

- Completion of vegetation clearing in stages, to minimise the area of ground disturbed at any one time
- Early stabilisation and revegetation of cut or filled areas and slope works using, for example, wood chip layers
- Watering of all exposed areas, including haul routes
- Provision of windbreaks and silt fences, as required.

Deliveries

Deliveries shall be managed to control dust. Specific control measures include:

- Covering of loads entering and leaving the site
- Collection, on a daily basis, of material which falls from trucks or from their wheels,
- Removal of soil from wheels of vehicles leaving the site.

Stockpiles

Stockpiles shall be managed to control dust. Specific control measures include:

- Minimisation and stabilisation of stockpile areas. Stabilisation shall be undertaken by ensuring that angles of repose are not exceeded and, if necessary, by the placement of supporting structures to retain the stockpile within a designated area. If required, the surface of the stockpile shall be covered with either mulched vegetative matter, or an artificial cover, suitably weighted to prevent movement.
- Maintenance of stockpiles within designated areas and prevention of spread of stockpile material into adjacent areas.
- Creation of no more stockpiles than are necessary and removal of all stockpiles upon completion of works on site.
- Provision of windbreaks and silt fences as required.

MONITORING:

Daily inspections of the site, by the Contractor, of the types, locations and details of control measures in place. Weekly recording by the Contractor of the effectiveness of control measures.

The Contractor shall maintain daily records of meteorological conditions including rainfall, wind speed and direction.

The Contractor shall record all air quality complaints received and details of all control measures undertaken.

In the event of a dispute, an independent party, such as the Superintendent, shall implement air quality monitoring. The Contractor shall take necessary action, should the limits specified in

Table 1 be exceeded.

REPORTING:

The Contractor shall submit monthly reports to the Superintendent on the monitoring activities, control measures and corrective actions undertaken.

CORRECTIVE ACTION:

Non-conformance shall be documented, by the Contractor, and a corrective action request (CAR) issued. All CAR's shall be included in the Non-conformance Register maintained by the Contractor.

The Contractor shall implement the corrective action, as required, within the agreed time frame noted in the CAR.

The Contractor shall advise the Superintendent upon completion of the corrective action.

Table 1 Air Quality Criteria as per EPP (Air) 2019 – Dust Emission

Parameter	Maximum Acceptable Value
Annual, 24 hour average dust concentration, total suspended particulates	90 µg/m3
Annual, 24 hour averaged dust concentration, as PM10	25 µg/m3
24 hour average dust concentration, as PM10	50 µg/m3
Visibility	20 km
Average dust deposition rate	120 mg/m2/day

Note: PM10 is suspended particulate matter less than 10 microns in diameter.

ELEMENT C4 – NOISE CONTROL

POLICY:

To control noise generated by construction activities and to minimise the impact of construction noise on the amenity of the local community.

PERFORMANCE OBJECTIVES:

To comply with the *Environmental Protection Act*, Council By-Laws and DES Environmental Guideline E1 "Noise from Construction, Renovation, Maintenance and Demolition Sites".

CONTROL MEASURES:

As part of the SBMP, the Contractor shall establish a Noise Control Plan to minimise noise levels within adjacent residential areas. All noise generating mobile and stationary plant, equipment and processes shall be controlled to minimise noise emissions in accordance with AS 2436.

Control measures may include:

- The fitting of effective exhaust silencers to all mobile plant.
- The fitting of engine acoustic shielding.
- Using exhaust silencers on compressed air exhausts.
- The use of physical noise barriers such as earth mounds or mobile screens.
- Review of times of operation of plant.

Lighting devices shall be used instead of whistles, bells and buzzers to control site operations. Audible alarms shall only be used for safety warnings.

All vehicles entering, leaving or used within the site shall be operated and maintained in a manner which ensures that the resulting noise levels are within the limits prescribed in the Commonwealth Department of Transport and Regional Services, Federal Office of Road Safety, Australian Design Rule *ADR28- External Noise of Motor Vehicles*.

In the event that the adjusted noise level for a single noise source or activity exceeds the maximum permitted noise level by more than 10 dB(A), consideration shall be given to restricting the times during which the activity can occur to a number of separate periods each day. Persons affected by the noise shall be consulted with regard to suitable hours and advised of the agreed operations schedule.

Working hours on site shall comply with DES Environmental Guideline E1 and Council By-Laws, and shall be generally as recommended in

Table 2.

MONITORING:

The Contractor shall perform weekly inspections of all noise producing sources (including inspection of new items of plant before they commence work on the site).

If complaints about noise are received, the Contractor shall visit the location of the complaint to determine its validity and implement appropriate mitigation measures, if required. In the event of a dispute, an independent party, such as the Superintendent, shall undertake noise monitoring.

The Contractor shall keep a written record of all complaints and subsequent noise monitoring and remediation measures.

REPORTING:

Monthly reports by the Contractor, to the Superintendent, on monitoring, control measures and corrective actions taken.

CORRECTIVE ACTION:

Non-conformance shall be documented, by the Contractor, and a corrective action request (CAR) issued. All CAR's shall be included in the Non-conformance Register maintained by the Contractor.

The Contractor shall implement the corrective action, as required, within the agreed time frame noted in the CAR.

The Contractor shall advise the Superintendent upon completion of the corrective action.

Table 2 Recommended Hours of Operation

Recommended Hours of Construction Operations
7am to 6pm. Monday to Saturday

ELEMENT C5 – EROSION AND SEDIMENT CONTROL

POLICY:

To minimise the impact of soil erosion on, or outside, the construction site.

PERFORMANCE OBJECTIVES:

Limitation of erosion of soil within the construction site.

Prevention of transport of eroded material from the construction site.

CONTROL MEASURES:

As part of the SBMP, a Site Erosion Control Plan shall be prepared by the Contractor and approved by the Superintendent, prior to the commencement of any works on site. No site works shall be permitted to commence until the plan is approved.

The following methods shall be used to control erosion on the site, and to prevent discharge of sediment contaminated runoff to receiving waters:

- Where possible, earthworks shall be completed in stages, such that the minimum area is disturbed at any one time.
- If possible, perimeter bunds shall be constructed around disturbed areas to divert external catchment flows around these areas. Silt fences shall be used to prevent sediment transport from disturbed areas in close proximity to receiving waters.
- Drains shall be protected from scour using regular check dams constructed from rock rubble. Drains may be lined with turf, rock or sprayed concrete if required.
- Sediment traps are to be used in drainage lines to collect silt contained in the runoff.
- Soil stockpile areas are to be stabilised to prevent erosion.
- Following construction, embankment slopes shall be stabilised to retain vegetation, moisture and topsoil and to promote successful planting. Disturbed areas shall be revegetated as soon as possible after earthworks are complete.
- Where areas are required to remain open for any significant period of time prior to re-vegetation and/or stabilisation, the soil surface shall be covered with straw or other suitable material to prevent raindrop spatter.

Erosion and sediment control activities on the site shall be generally in accordance with **Error! Reference source not found.**.

MONITORING:

An inspection schedule for erosion and sediment control measures is presented in Table 4.

The Contractor shall monitor the works on a weekly basis for evidence of:

- Non-functioning control measures.
- Erosion
- Accumulation of sediment at discharge points

During wet weather, the Contractor shall inspect the site daily to check sediment traps, silt fences etc. for damage such as scour, soil erosion, sediment deposition, by-passing of treatment devices, silt plumes, etc.

REPORTING:

Monthly reporting by the Contractor, to the Superintendent, of all maintenance activities and corrective actions.

CORRECTIVE ACTION:

Non-conformance shall be documented by the Contractor and a corrective action request (CAR) issued. All CAR's shall be included in the Non-conformance Register maintained by the Contractor.

The Contractor shall implement the corrective action, as required, within the agreed time frame noted in the CAR.

The Contractor shall advise the Superintendent upon completion of the corrective action.

Table 3 Erosion and Sediment Control Measures

Event	Activity
Commencement of construction	Installation of silt fences using appropriate geotextile mesh, or other approved material, around any areas likely to be disturbed, to capture all eroded material. Use of other mechanisms, such as soil stabilisation techniques, to further prevent sediment transport from the site. Construction of low earth bunds around the upstream side of any working area, to divert upstream drainage around the area.
During vegetation clearing and earthworks	Stacking and removal of nominated vegetation. Stockpiling and stabilisation of excavated topsoil and other soil materials to prevent erosion. Minimisation of the area disturbed at any one time.
After completion of earthworks	Re-vegetation, grassing and stabilisation of affected areas to prevent erosion and sediment transport.
After completion of project	Maintenance of flow paths and any disturbed areas to eliminate ongoing erosion.

Table 4 Erosion and Sediment Control Maintenance Schedule

Period	Frequency	Location	Type	Parameters to be Monitored
Whilst temporary sediment control measures are in place	Weekly	All erosion control measures	Visual	Check to ensure that erosion control measures are in place and are functioning satisfactorily
		Sedimentation ponds and treatment areas	Visual	› Degradation of water quality › Signs of erosion, such as gully erosion › Accumulation of sediment at discharge points
	Daily during wet weather	All erosion control measures, including sediment traps, silt fences, etc	Visual	Check for damage, bypassing deposition of excessive silt, scour etc

ELEMENT C6 – WATER QUALITY

POLICY:	To minimise the impact of construction activity on water quality in water bodies external to the site.
PERFORMANCE OBJECTIVES:	To avoid detrimental impact on the water quality and the aquatic environment of downstream water bodies as a result of the discharge of contaminated stormwater runoff from the site. To comply with the *Environmental Protection Act*, and the subordinate *Environmental Protection Policy (Water and Wetland Biodiversity) 2019.* Stormwater shall not be discharged from the site unless it meets the release criteria given in Table 5.
CONTROL MEASURES	As part of the SBMP and prior to the commencement of works on site, the Contractor shall submit a Stormwater Quality Management Plan, to the Superintendent, for approval. Work shall not commence until approval is granted. Construction materials stored on site shall be placed, in suitably prepared locations, to limit the potential for suspended solids to be transported from the site. Existing runoff paths shall be diverted around these storage locations and bunds shall be provided to retain material. Fuels and oils shall be stored in safe locations, where stormwater inundation is unlikely to occur. Any spillages of fuel and oil shall be attended to immediately to limit the potential for off-site impacts. The Contractor shall provide temporary control measures, as required, during the course of the work to prevent soil erosion, scour, sediment transport and deposition. Suitable temporary control measures, as identified in the IECA Guidelines include: • Temporary retardation basins • Temporary silt fences • Controls on amount of disturbed ground • Diversion of upstream catchments around disturbed areas • Stabilisation of stockpiles • Permanent control measures shall be provided as soon as possible after completion of work in each construction area. Permanent measures to be adopted for this project include re-vegetation and stabilisation of disturbed areas.
MONITORING:	*Water quality monitoring shall be carried out in accordance with* Table 6.
REPORTING:	Monthly reports shall be provided, by the Contractor, to the Superintendent, on the monitoring undertaken during construction, including details of any changes from the approved Water Quality Management Plan and of all corrective action taken to maintain the performance requirement. All relevant reports and records shall be retained by the Contractor.
CORRECTIVE ACTION:	Corrective action shall be undertaken by the Contractor, to the satisfaction of Superintendent, and may include dosing with chemicals and extended holding times in treatment ponds. Dosing rates for materials such as hydrated lime (for pH stabilisation) and polyelectrolyte coagulants (for precipitation of suspended solids) shall be closely controlled. Non-conformance shall be documented by the Contractor and a corrective action request (CAR) issued. All CAR's shall be included in the Non-conformance Register maintained by the Contractor. The Contractor shall implement the corrective action, as required, within the agreed time frame noted in the CAR. The Contractor shall advise the Principal upon completion of the corrective action.

Table 5 Release Criteria for Stormwater Discharged from Site

Water Quality Parameter	Release Criteria	Type of Release Criteria
pH	6.5 to 8.5	Range
	7.0	Target
Oil and Grease	No visible film No detectable odour	-
Suspended Solids	50 mg/L	Target
Iron floc and scum	None Visible	-
Floating matter	None Visible	-
Electrical Conductivity	800 µS/cm	Target
Dissolved Oxygen	6 mg/L	Target

Table 6 Water Quality Devices Inspection Schedule

Period	Frequency	Location	Type	Parameters Monitored
During all works on site	Daily	All surface waterbodies, especially treatment ponds for runoff from acid sulphate soils	Visual	Signs of acid sulphate contamination such as: • Oily films and scums • Yellow efflorescence on surfaces • Iron staining of soils and water • Sulphurous odour • Degradation of water quality • Formation of jarosite
			Metered	• pH • Electrical conductivity (EC)
During all works on site	Daily	All waters released from site, refer to release criteria from Table 5	Metered	• pH • Electrical conductivity (EC) • Turbidity (to be calibrated against weekly measurements of SS)
	Weekly	All waters released from site, refer to release criteria from Table 5	Sampled	• Suspended Solids (SS)
	Upon occurrence of deterioration of water quality	The site and adjoining waterbodies	Qualitative Records to be kept.	• As required
During the defects liability period	Monthly	All waters released from site	Metered and sampled	• pH • Electrical conductivity (EC) • Suspended Solids (SS)
	Upon occurrence of deterioration of water quality	The site and adjoining waterbodies	Qualitative Records to be kept.	• As required

ELEMENT C7 – VEGETATION CLEARING, SITE RESTORATION, REHABILITATION AND WEED CONTROL

POLICY:	To ensure that completed work areas are stabilised in a manner which minimises future adverse environmental impacts.
PERFORMANCE OBJECTIVES:	To create conditions and implement measures which ensure the prompt establishment of vegetation within all areas disturbed during the works.
CONTROL MEASURES	All vegetation to be cleared shall be clearly flagged prior to removal. This applies particularly to the boundaries of the areas to be retained for conservation purposes. Following clearing, star picket and plain wire fences shall be erected along these boundaries to prevent vehicle and personnel access. Appropriately worded, high visibility signs shall be fixed to the fences at regular intervals. No clearing shall be undertaken without the written approval of the Superintendent. A staged weed control program shall be implemented within rehabilitated areas. Stockpiled, weed infested vegetation shall not be mulched for re-use on site, nor disposed of at a green waste recycling facility, as these practices facilitate the re-establishment and spread of weed species. Of particular note are weeds such as the Madeira Vine, which are capable of propagation from fragments of stems or leaves. Appropriate disposal methods include disposal at a landfill facility, pit burning, or other disposal approved of by Council. Soil erosion control measures shall be implemented as described in the EMP Element C5. Fertiliser application rates shall be closely monitored to ensure that excess fertiliser is not washed off by stormwater runoff and discharged to downstream water bodies. Controlled-release fertilisers shall be used wherever possible.
MONITORING:	Monitoring of rehabilitation and landscaping works shall be undertaken, by the Contractor, at monthly intervals, to assess the health and vigour of plantings. Any unhealthy plantings shall be treated or replaced. This monitoring shall also note the establishment of any weed species. The frequency of monitoring may be progressively reduced as the plantings become established.
REPORTING:	Monthly reporting by the Contractor, to the Superintendent, covering all monitoring activities.
CORRECTIVE ACTION:	Non-conformance shall be documented by the Contractor and a corrective action request (CAR) issued. All CAR's shall be included in the Non-conformance Register maintained by the Contractor. Copies of CARs shall be provided to the Superintendent upon request. The Contractor shall implement the corrective action, as required, within the agreed time frame noted on the CAR. The Contractor shall advise the Superintendent upon completion of the corrective action.

ELEMENT C8 – BITING INSECTS

POLICY:

To minimise, as far as practicable, the potential health and amenity impacts associated with exposure to biting Insects as a result of proposed development.

PERFORMANCE OBJECTIVES:

To implement procedures to reduce the exposure of biting insects such as removing, as far as practicable, potential breeding areas and habitats for biting insects at the site.

Prevention, monitoring and taking necessary steps to reduce the risk of potential health and amenity impacts associated with exposure to biting insects at the site.

CONTROL MEASURES

The following actions will be undertaken to achieve the above objective:

- Removal or maintenance of potential breeding areas and habitats at the site such as empty containers, waste receptacles, buckets, wheelbarrow, disused tyres;
- Maintenance of stormwater pipes and guttering and perimeter fencing;
- Wearing of protective clothing and the use of repellents when necessary;
- The on site manager shall carry out regular inspections of control measures, verifying the removal of potential habitat areas.

MONITORING:

Implementation is to be ongoing. There should be no excessive complaints in relation to exposure to biting insects at the site.

REPORTING:

The on-site manager of the development shall retain records of measures taken to eliminate biting insect habitats over the Site.

CORRECTIVE ACTION:

Where Council receives a disproportional or unusual number of inquiries from adjacent areas to the site concerning the abundance and impact of biting insects, the following corrective actions should be initiated:

- Identification of the species of biting insect(s) being the cause for the inquires;
- Identification of the breeding habitat(s) of those species of biting insect(s);
- Removal of those habitat{s) by appropriate chemical treatment or other physical means

Non-conformance shall be documented by the Contractor and a corrective action request (CAR) issued. All CAR's shall be included in the Non-conformance Register maintained by the Contractor. Copies of CARs shall be provided to the Superintendent upon request.

The Contractor shall implement the corrective action, as required, within the agreed time frame noted on the CAR.

The Contractor shall advise the Superintendent upon completion of the corrective action.

Appendix A: Sample Corrective Action Request Form

CORRECTIVE ACTION REQUEST

Report No: .....

Date: .....

DETAILS OF NON-CONFORMANCE: Inspected by:
DETAILS OF PROPOSED ACTION Passed to Superintendent (as applicable):y/n Date: Reply required by:
CONSULTANT/CLIENT ADVICE (as required): Date action required by (if applicable): Signed (Superintendent): Date:
AUTHORITY TO PROCEED Signed: Date:
ACTION CARRIED OUT Signed: Date:
RE-INSPECTED BY Signed: Date:
COPY ISSUED TO SUPERINTENDENT: Date:

HDE

ENGINEERING DESIGN PROFESSIONALS

Stormwater Management Plan
End of Life Tyre Recycling Facility
1 Arneil Street, Biloela
Lot 16 on SP317572

Novum Nona Pty Ltd
43 Brindabella Circuit
Thornlands QLD 4164

Project number – 6198

REV	Author	Date	Approved	Description
A	G. Fields	08/12/2021	G. Glab	For Approval

Table of Contents

List of Figures

1. Introduction

HDE Engineering Design Professionals Pty Ltd has been engaged by Novum Nona Pty Ltd to prepare this Stormwater Management Plan (SMP) for the proposed End of Life Tyre Recycling Facility at 1 Arneil Street, Biloela. This report forms part of a development application for a Material Change of Use for Medium Impact Industry to Banana Shire Council (BSC) in support of the proposed works and is to be read in conjunction with the Engineering Services Report for the site.

The key aim of this report is as follows:

- To model and employ stormwater quality treatment measures to ensure that the appropriate water quality objectives are achieved prior to stormwater runoff leaving the subject site; and
- To calculate the peak discharge from the existing and developed site and to undertake hydraulic modelling for developed conditions to ensure no worsening to adjoining properties
- Establish minimum floor elevations for the proposed buildings.

This report addressed the site requirements in relation to Banana Shire Council (BSC) Planning Scheme Policy, Queensland Urban Drainage Manual (QUDM), Australian Standards, and other relevant State Planning Policies and design guidelines.

2. Site Characteristics

The development site has a total area of 13,500m^2 (1.350ha) and is described as Lot 16 on SP317572. The site has boundary frontage to both Arneil Street, to the south, and Callistemon Street, to the west. The eastern boundary has a stormwater drainage easement that runs for the length of the site. An aerial photograph showing the site locality is presented in Figure 1.

Figure 1: Site Location (Source: QLD Globe, 2021)

The site, in its existing state, consists of a vacant allotment without any formed driveway access from either Arneil Street or Callistemon Street. The site does contain stormwater drainage infrastructure that is located within an existing easement that was established as part of the previous industrial subdivision works.

2.1. Site Topography

The existing terrain within the site ranges from a high elevation of approximately RL 173.85m AHD at the corner of Arneil Street and Callistemon Street, with a low elevation of RL 171.70 at the north-eastern corner within the drainage easement. The site as-constructed survey data was provided by BSC. Figure 2 presents an extract of the as-constructed survey data of the existing topography within the site.

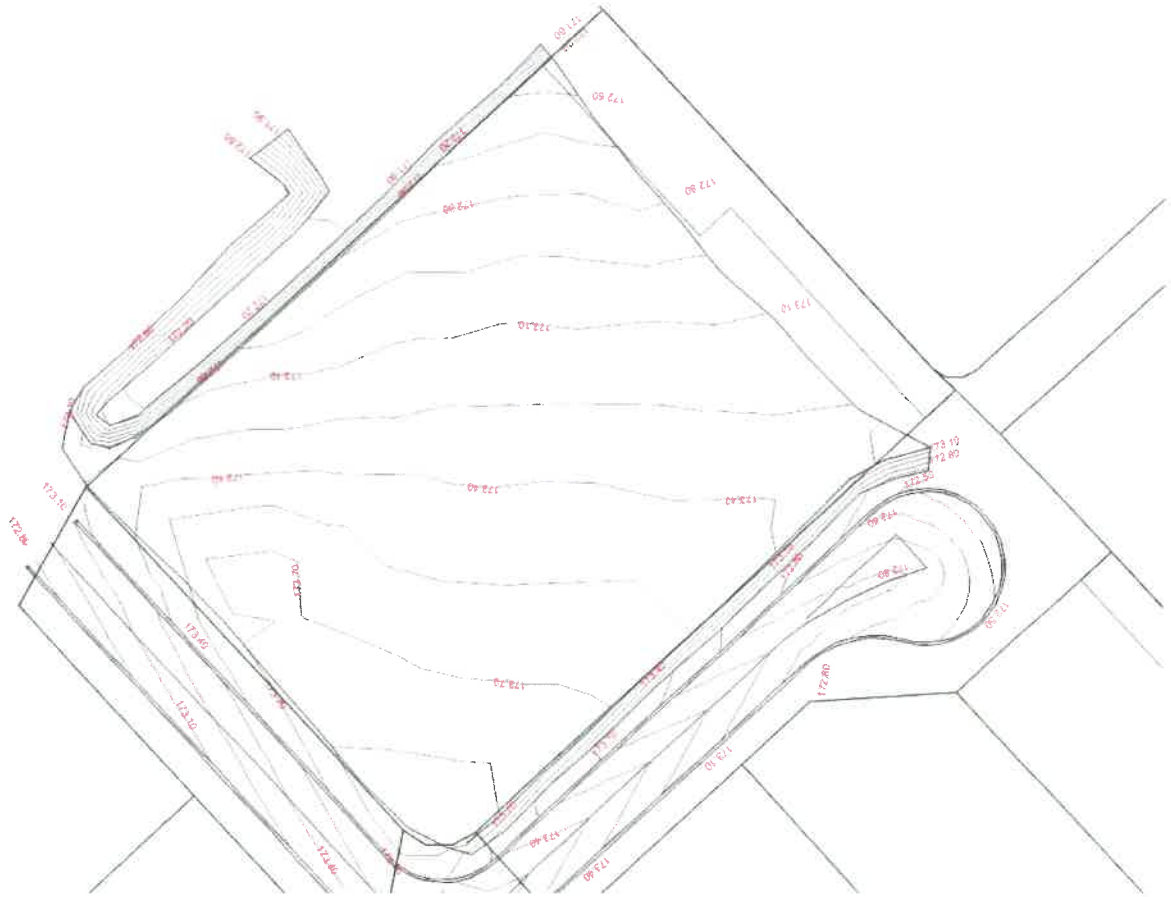


Figure 2: Extract of As-constructed Earthworks Survey Data

A comparison of the aerial survey data taken in 2011 to the as-constructed survey data indicates that the site has been subject to depths of filling of up to 1.4m. The filling has enabled the site to be well graded from a site drainage perspective and this will assist the layout of the site with respect to the proposed pavement and internal drainage requirements. The existing grade is approximately 1% from south to the north, which will allow for all of the site runoff to discharge towards the drainage easement.

A review of the external topography indicates that there are no direct catchments that will discharge towards the site use area. There is however an existing 1200mm x 600mm box culvert, that collects interallotment runoff from the industrial allotments on the southern side of Arneil Street, which runs along the eastern boundary through to the north before discharging to the dam at the north eastern corner of the industrial estate. Figure 3 presents the layout of the existing stormwater drainage infrastructure within the site and the broader industrial estate.

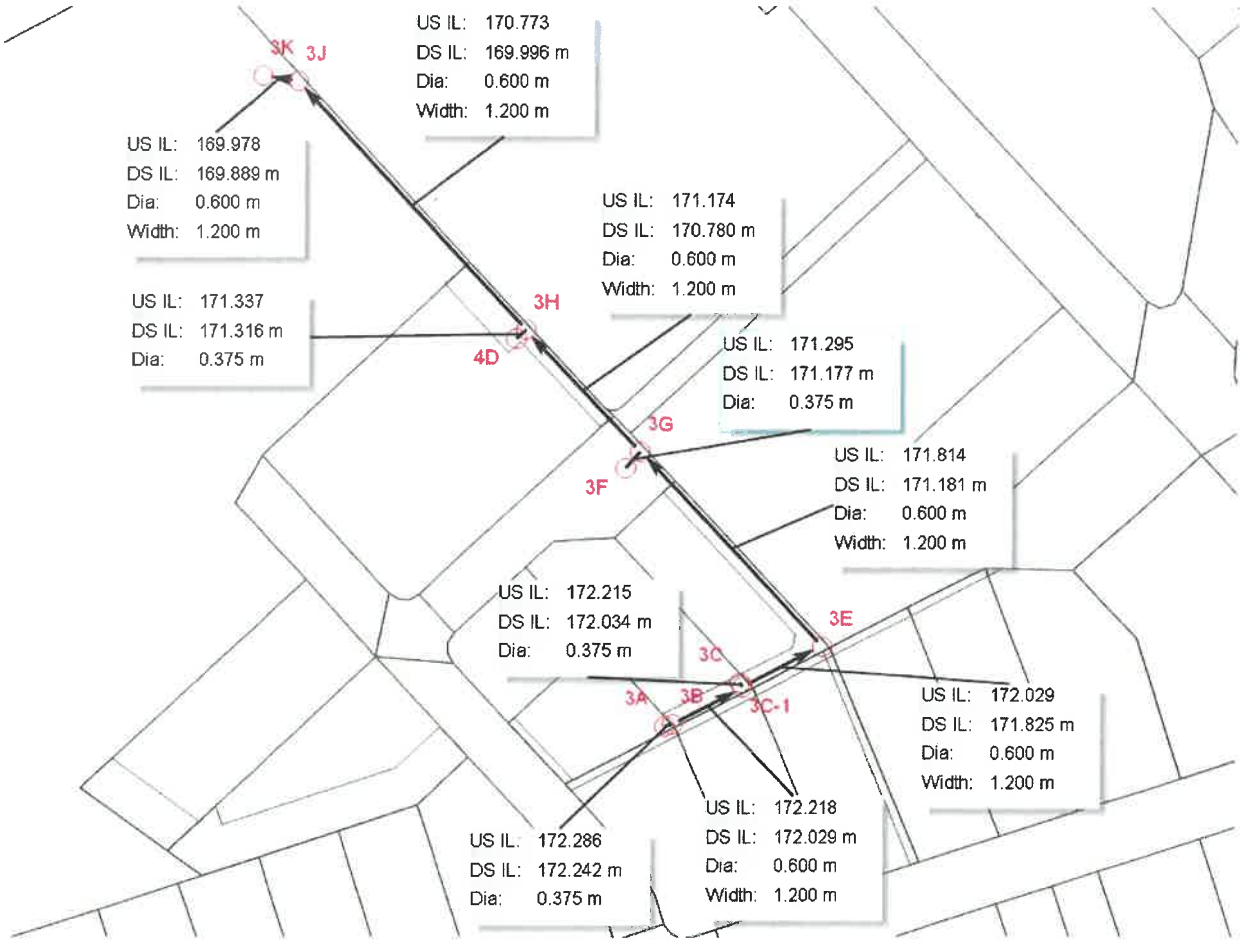


Figure 3: Existing Stormwater Infrastructure

3. Proposed Site Layout

The proposed site building layout has been developed by Novum Nona based on other sites located in the United States of America. The layout proposes a new building that includes a control room, dual thermal recycling units, an equipment area and by-product storage areas. The building will have direct access by site vehicles, specifically a 28 ton forklift that will be used to manoeuvre tyres into the thermal recycling units. External to the building there will be tyre storage rows, working hardstand, bunded storage tanks, office and amenity buildings and a car park. Figure 4 presents the site layout and proposed internal stormwater infrastructure.

Figure 4: Proposed Site Layout and Stormwater Infrastructure

4. Stormwater Quantity

Hydrologic and hydraulic modelling of the site has been undertaken to establish the flow regime and peak discharge at the Lawful Point of Discharge (LPD), which is the overland flow path to the north and east of the site. The modelling has been undertaken in XPSWMM for both the pre and post development scenarios.

4.1. Catchment Hydrology

In the existing scenario, the site runoff is directed to both the east and north. The total site area was incorporated into the XPSWMM calculations to determine peak discharges for the range of design storm events, being the 5 year ARI and 100 year ARI. The existing and developed catchment details input to the model are shown below.

Sub-Catchments

	1	2	3	4	5
Area	1.35	0.0	0.0	0.0	0.0
Imp. (%)	0.0	0.0	0.0	0.0	0.0
Width	1.	0.0	0.0	0.0	0.0
Slope	1.	0.0	0.0	0.0	0.0

Figure 5: Existing Catchment Parameters

Sub-Catchments

	1	2	3	4	5
Area	1.193	0.157	0.0	0.0	0.0
Imp. (%)	0.0	100	0.0	0.0	0.0
Width	1.	1	0.0	0.0	0.0
Slope	1.	1	0.0	0.0	0.0

Figure 6: Developed Catchment Parameters

4.2. XPSWMM Hydrologic Discharges

The results of the hydrologic analysis are presented in the following figures for the minor and major design storm events.

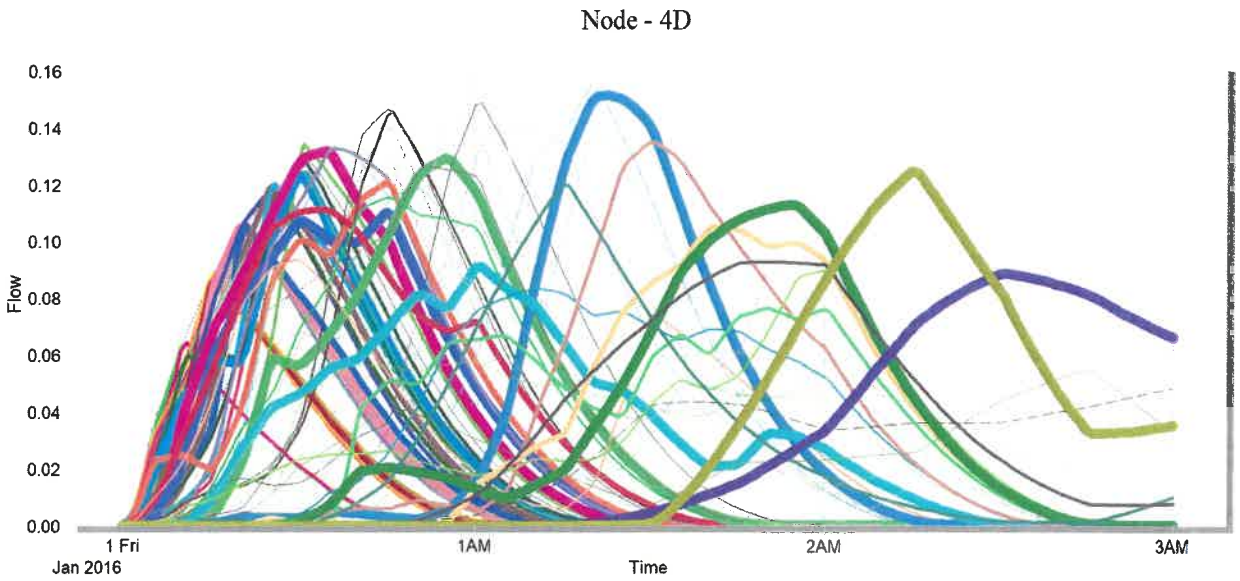


Figure 7: Existing Scenario 5 Year ARI Discharges

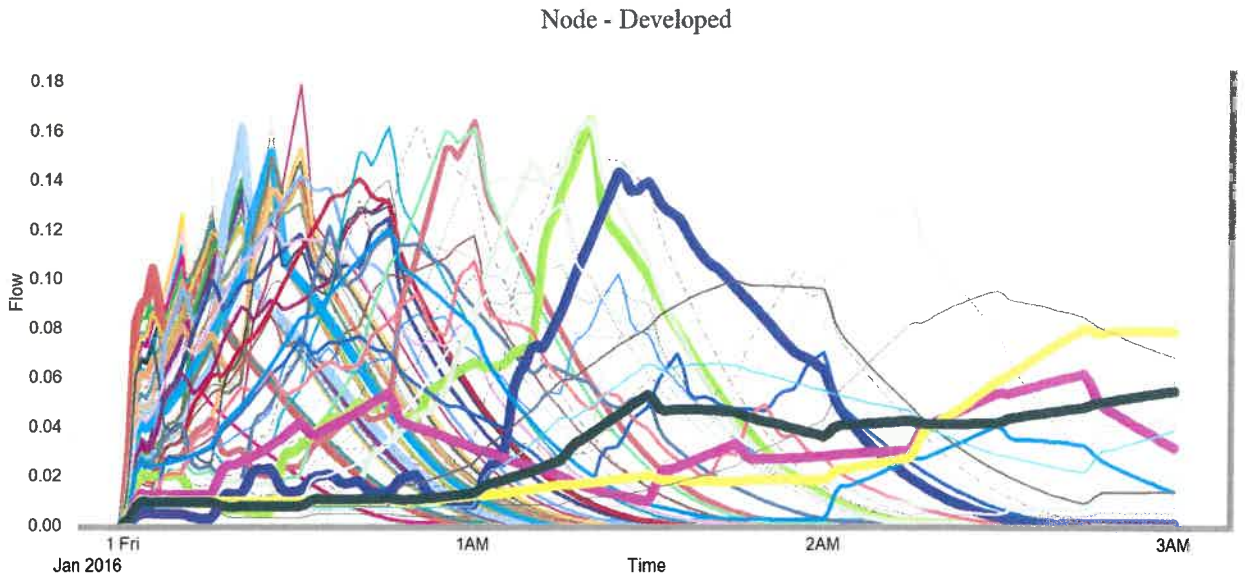


Figure 8: Developed Scenario 5 Year ARI Discharges

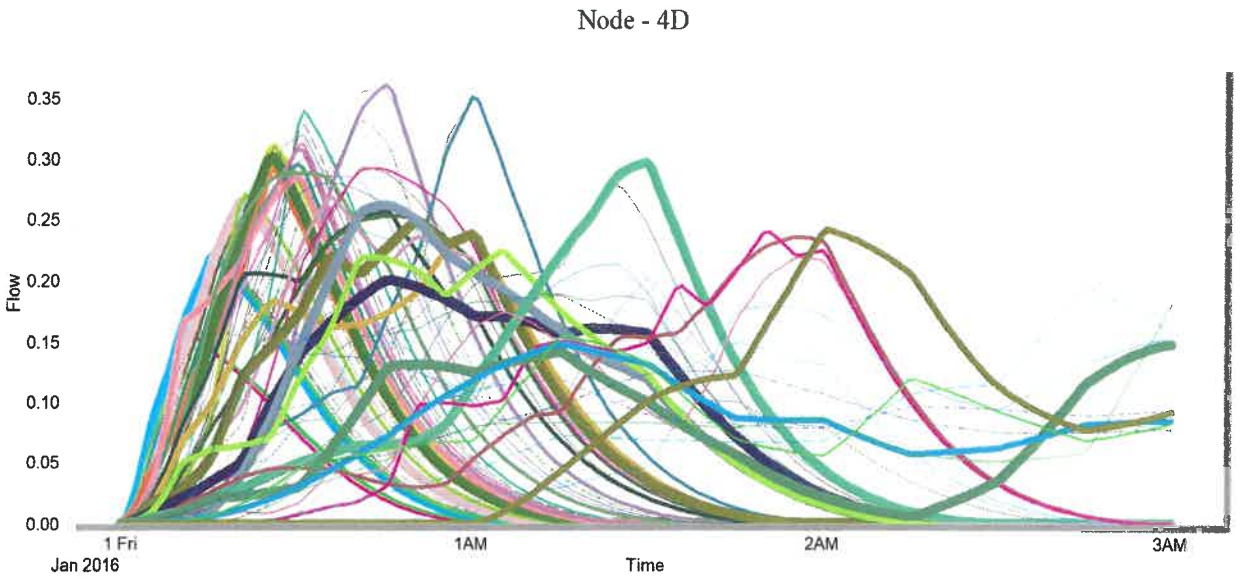


Figure 9: Existing Scenario 100 Year ARI Discharges

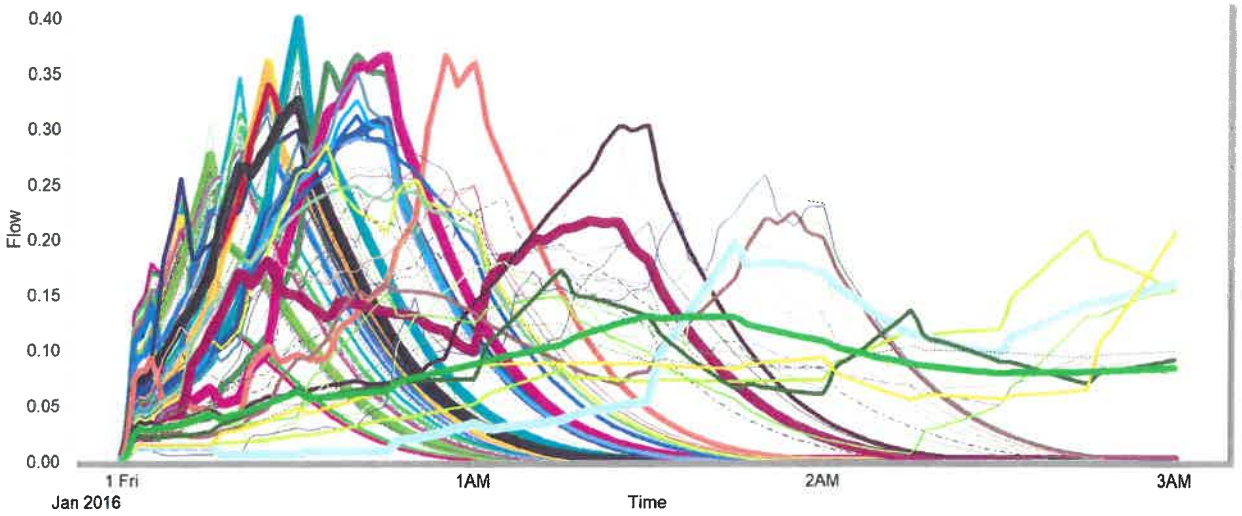


Figure 10: Developed Scenario 100 Year ARI Discharges

The above results are better understood through the use of a box and whisker plot, which are shown in the following figures.

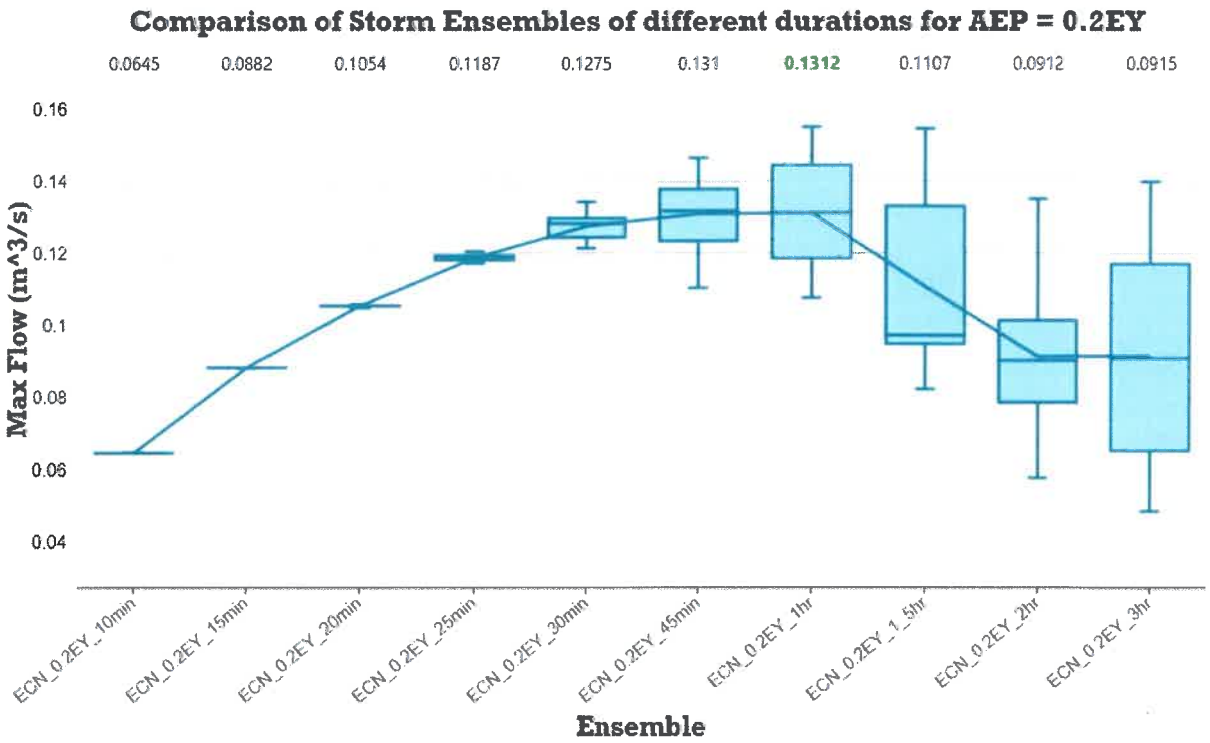


Figure 11: Existing Scenario 5 Year ARI Discharges Box and Whisker Plot

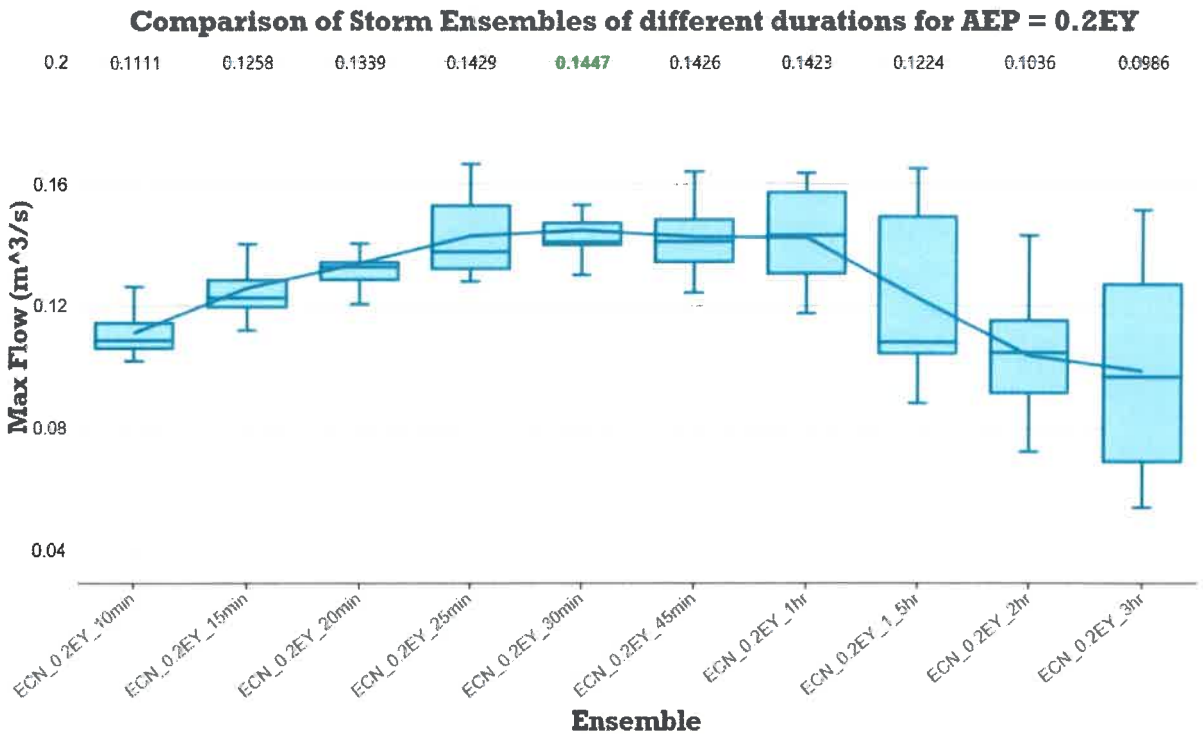


Figure 12: Developed Scenario 5 Year ARI Discharges Box and Whisker Plot

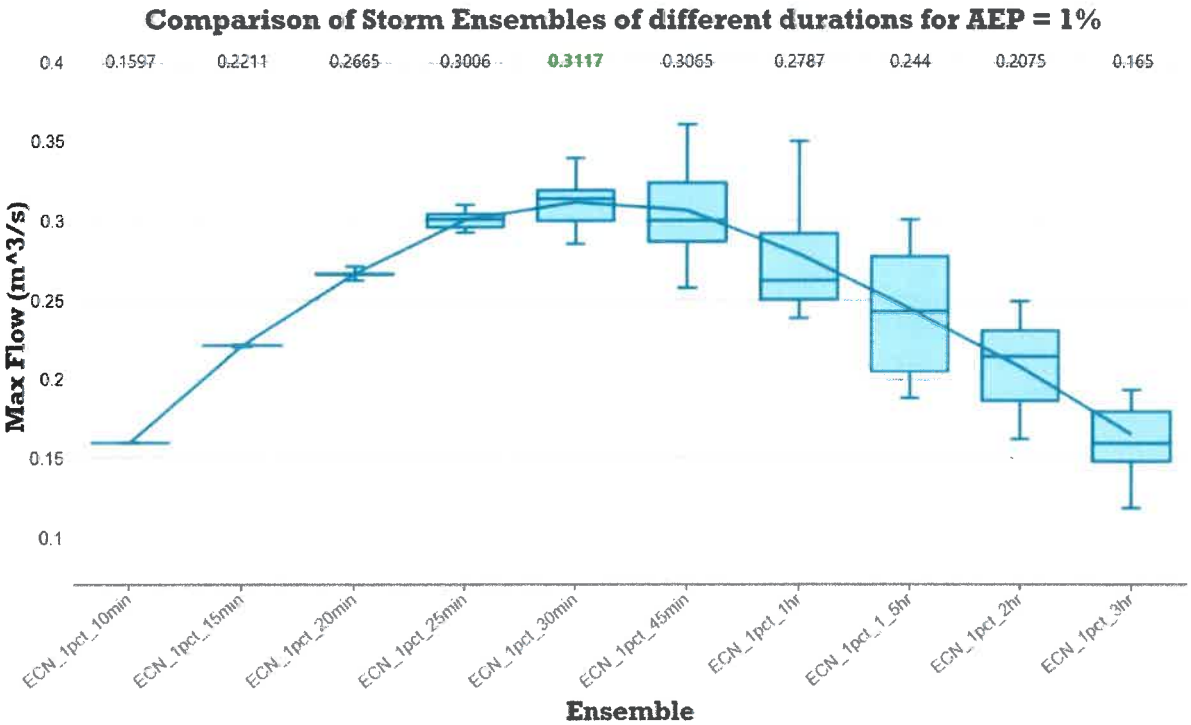


Figure 13: Existing Scenario 100 Year ARI Discharges Box and Whisker Plot

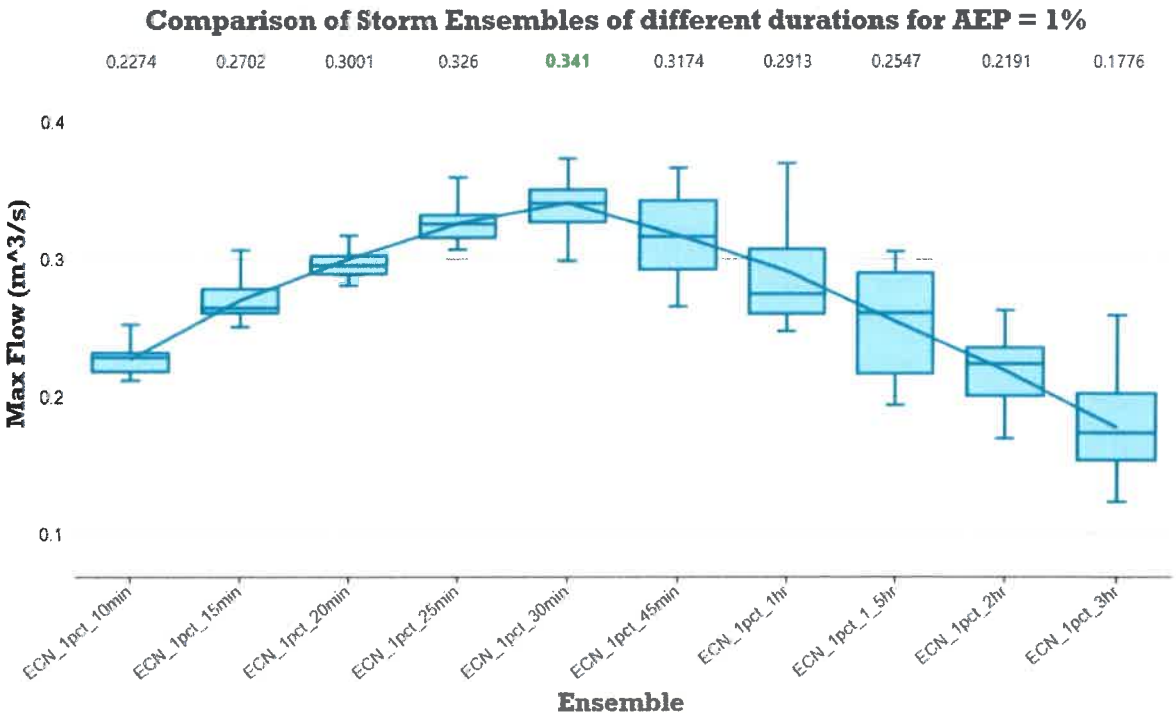


Figure 14: Developed Scenario 100 Year ARI Discharges Box and Whisker Plot

The maximum 'mean' discharge for the minor design storm event was generated by the 60 minute temporal pattern for the existing scenario and the 30 minute temporal pattern for the developed scenario. The peak discharges were 0.131m^3/s and 0.145m^3/s for the existing and developed scenarios respectively. This equates to an increase of 14L/s as a result of the development for the minor design storm event.

The maximum 'mean' discharge for the major design storm event was generated by the 30 minute temporal pattern for both the existing and developed scenarios. The peak discharges were 0.312m^3/s and 0.341m^3/s for the existing and developed scenarios respectively. This equates to an increase of 29L/s as a result of the development for the major design storm event.

4.3. Proposed Detention

To address the minor increase in discharge can be mitigated through the use of the proposed bioretention area. The area included in the XPSWMM modelling was based on the proposed base area of 42m^2 and a top surface elevation of 1,000m^2 within the vegetated area beyond the extent of the bioretention basin itself. The bioretention basin will be controlled by an elevated 900x900 field inlet pit with an extended detention depth of 0.2m and a 250mm diameter pipe connection to the existing stormwater infrastructure. This volume is designed to drain within 24 hours and is therefore able to be used for the detention calculations.

The resulting discharges from the bioretention basin are presented in the following figures for the minor and major design storm events.

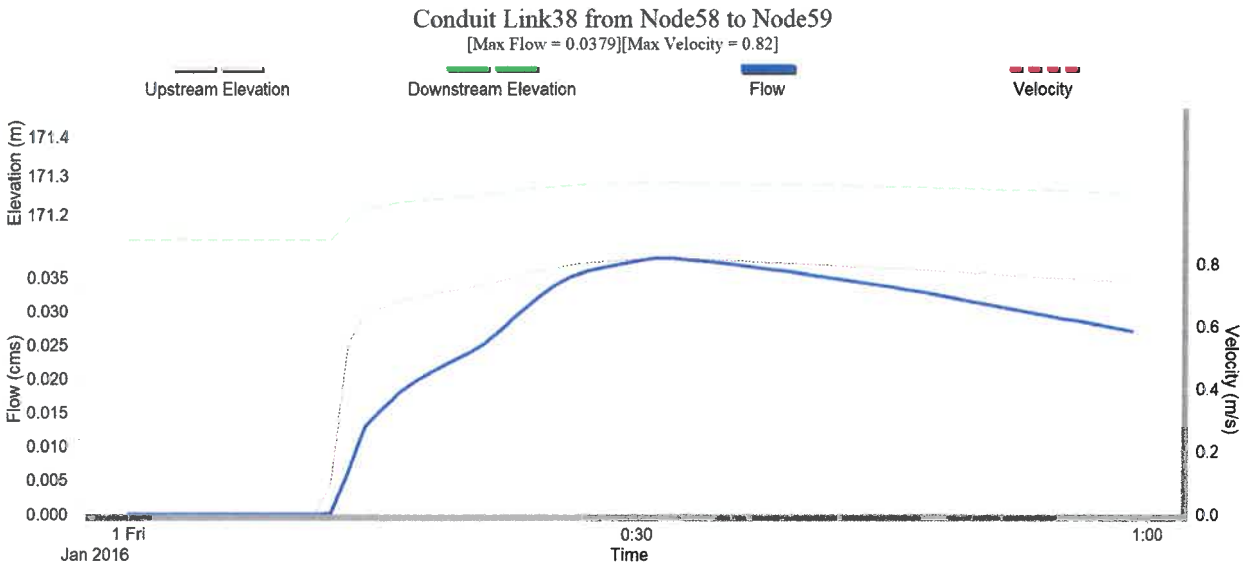


Figure 15: Developed Scenario 5 Year ARI Mitigated Peak Discharges Through Bioretention Basin Outlet Pipe

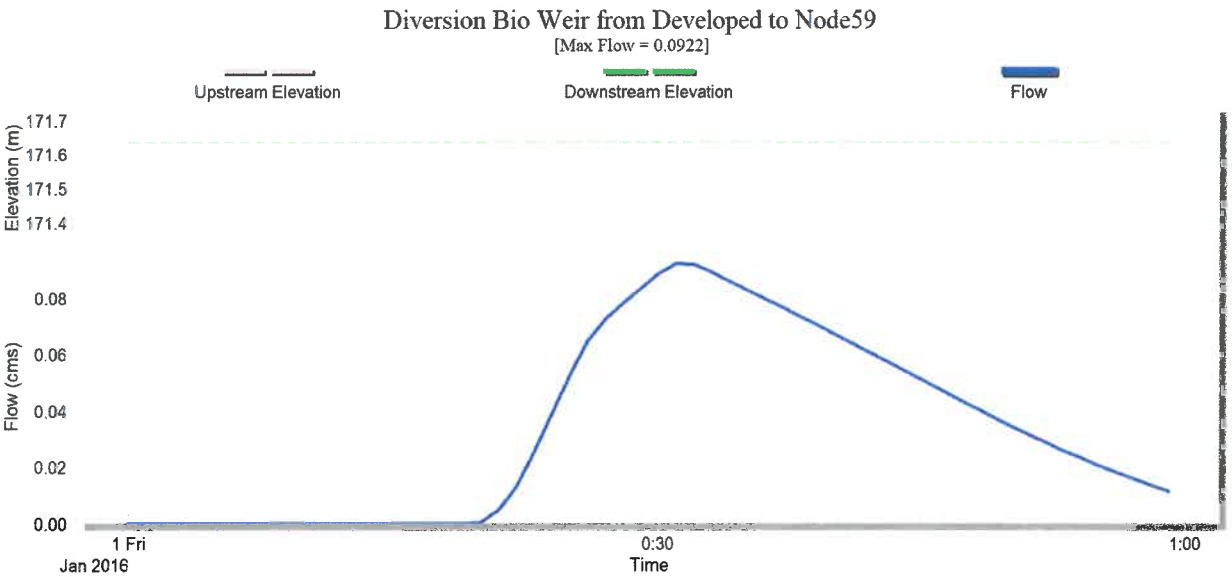


Figure 16: Developed Scenario 5 Year ARI Mitigated Peak Discharges Over Bioretention Basin Outlet Weir

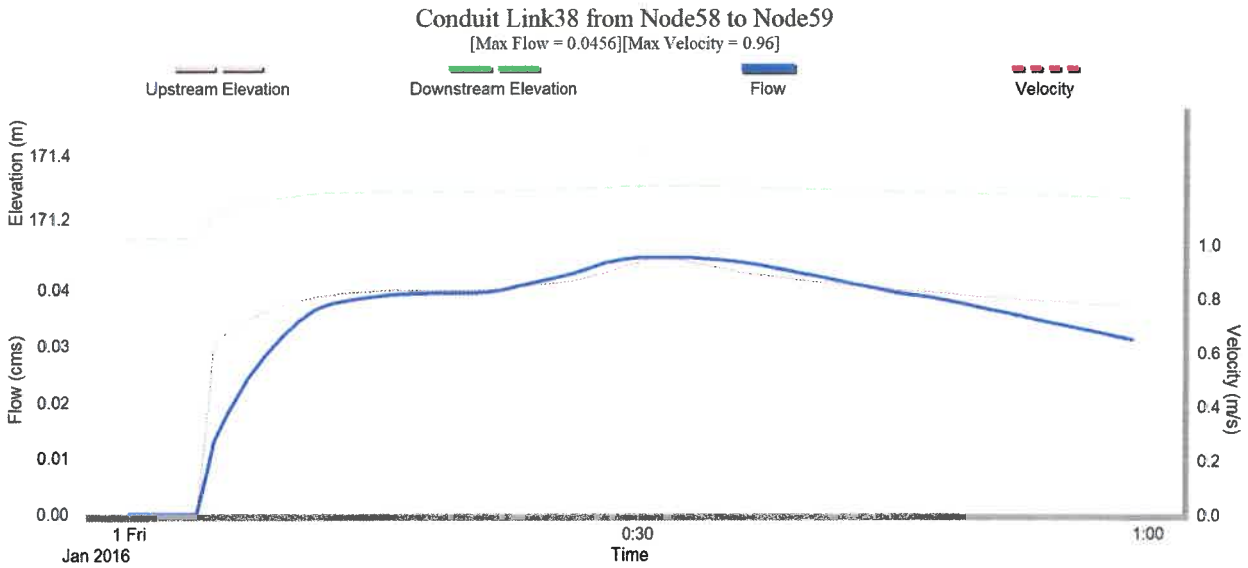


Figure 17: Developed Scenario 100 Year ARI Mitigated Peak Discharges Through Bioretention Basin Outlet Pit

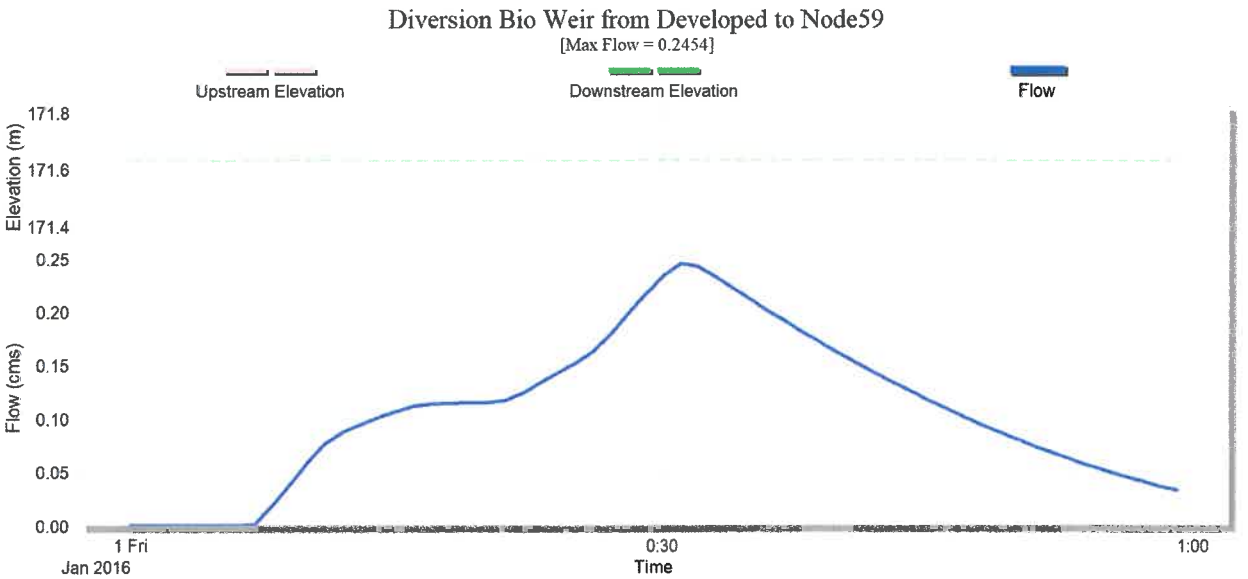


Figure 18: Developed Scenario 100 Year ARI Mitigated Peak Discharges Over Bioretention Basin Outlet Weir

The results shown in the above figures highlight that the peak discharge is adequately reduced to be less than 0.131m3/s and 0.312m3/s for the existing and developed scenarios, respectively, to 0.130m3/s and 0.291m2/s. The reduction in peak discharges demonstrates compliance with the relevant provisions of the BSC Planning Scheme Policy and the QUDM.

5. Stormwater Quality

The proposed development is required to address the water quality objectives of the State Planning Policy (2016) and the BSC Design Guidelines. The water quality objectives are detailed in the following table.

Table 1: Water Quality Objectives

Pollutant	WQO
Suspended Solids	80% (Removal)
Total Phosphorus	60%(Removal)
Total Nitrogen	45% (Removal)
Gross Pollutants	90% (Removal)

5.1. Stormwater Quality Modelling

Stormwater Pollutant modelling for the development has been generated using the modelling program 'Model for Urban Stormwater Improvement Conceptualisation' (MUSIC), version 6.3, adhering to the prescribed Water by Design MUSIC modelling guidelines Version 1.0, 2010. A "Split Catchment" approach has been adopted using separate source nodes for the following typical site areas:

- Roof Catchment which flows to the proposed bioretention basin;
- Balance Ground Level (general landscaped areas).

Further assumptions associated with the model involve:

- Default routing (No flow routing or translation between nodes);
- No seepage/exfiltration (0 mm/hr);
- Adopted meteorology data from Brisbane Regional Office rainfall station – 40223, 6-minute time step from 1980-1989; and
- All other parameters used within the modelling were based on Water by Design MUSIC Modelling Guidelines Version 1.0, 2010.

The ratio of impervious surface used within the MUSIC modelling has been adopted from Tables 3.3 and 3.5 in the Water by Design MUSIC Modelling Guidelines Version 1.0, 2010, in accordance with a 'split node approach' for a land use type of 'Industrial'.

The layout of the MUSIC model is presented in the following figure.

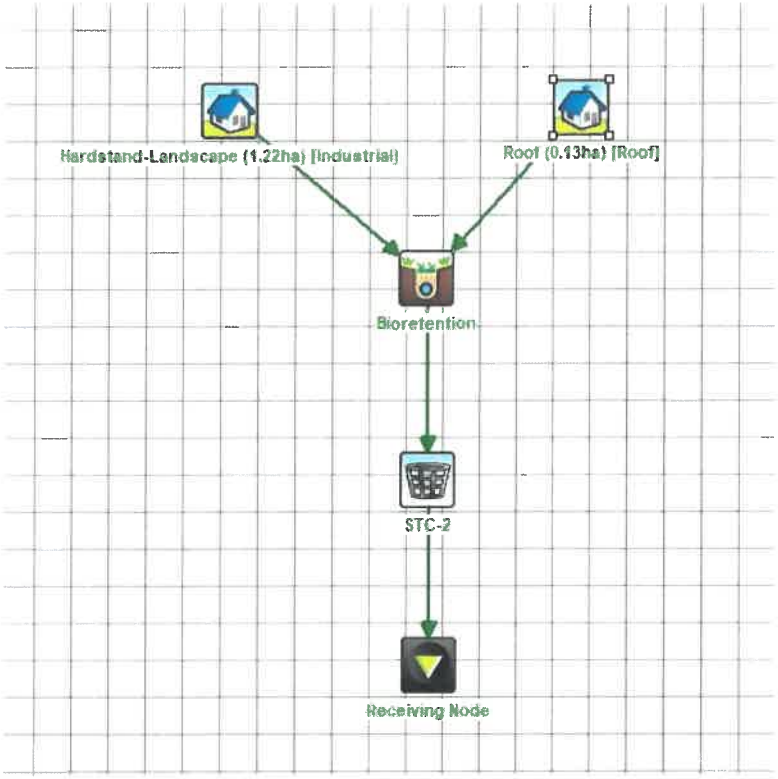


Figure 19: MUSIC Model Layout

5.2. MUSIC Model Catchment Areas

The following table summarises the catchment areas applied within the MUSIC model.

Table 2: MUSIC Model Catchment Details

Name	Area (ha)	Fraction Impervious (%)	Treated / Untreated
Roof	0.13	100	Treated
Balance Area	1.22	87	Treated

5.3. Treatment Devices

The stormwater treatment devices that can be adopted within this site include the proposed bioretention basin and in-pit gross pollutant traps (GPT's), which are readily available to the market. The general details of the proposed bioretention basin within the site is presented in the following table.

Table 3: Bioretention Basin Device Details

Name	Area (m^2)	Extended Detention Depth (m)	Filter Area (m^2)	Filter Depth (m)	Filter Median Particle Diameter (mm)	Saturated Hydraulic conductivity (mm/hr)
Bioretention	60	0.2	42	0.4	0.45	180

The bioretention basin will located adjacent to the existing stormwater infrastructure to allow for discharge of treated runoff to the minor drainage network.

For modelling purposes, the GPT modelled was based on the Humes Humeceptor STC2 device. There are however equivalent products available on the market that could be substituted for this device.

5.4. Stormwater Quality Results

The following figure from within MUSIC demonstrates that the proposed water quality treatment training within the site exceeds the required water quality objectives.

	Sources	Residual Load	% Reduction
Flow (ML/yr)	8.09	7.99	1.2
Total Suspended Solids (kg/yr)	1340	124	90.7
Total Phosphorus (kg/yr)	2.31	0.926	60
Total Nitrogen (kg/yr)	17.9	9.62	46.2
Gross Pollutants (kg/yr)	189	0	100

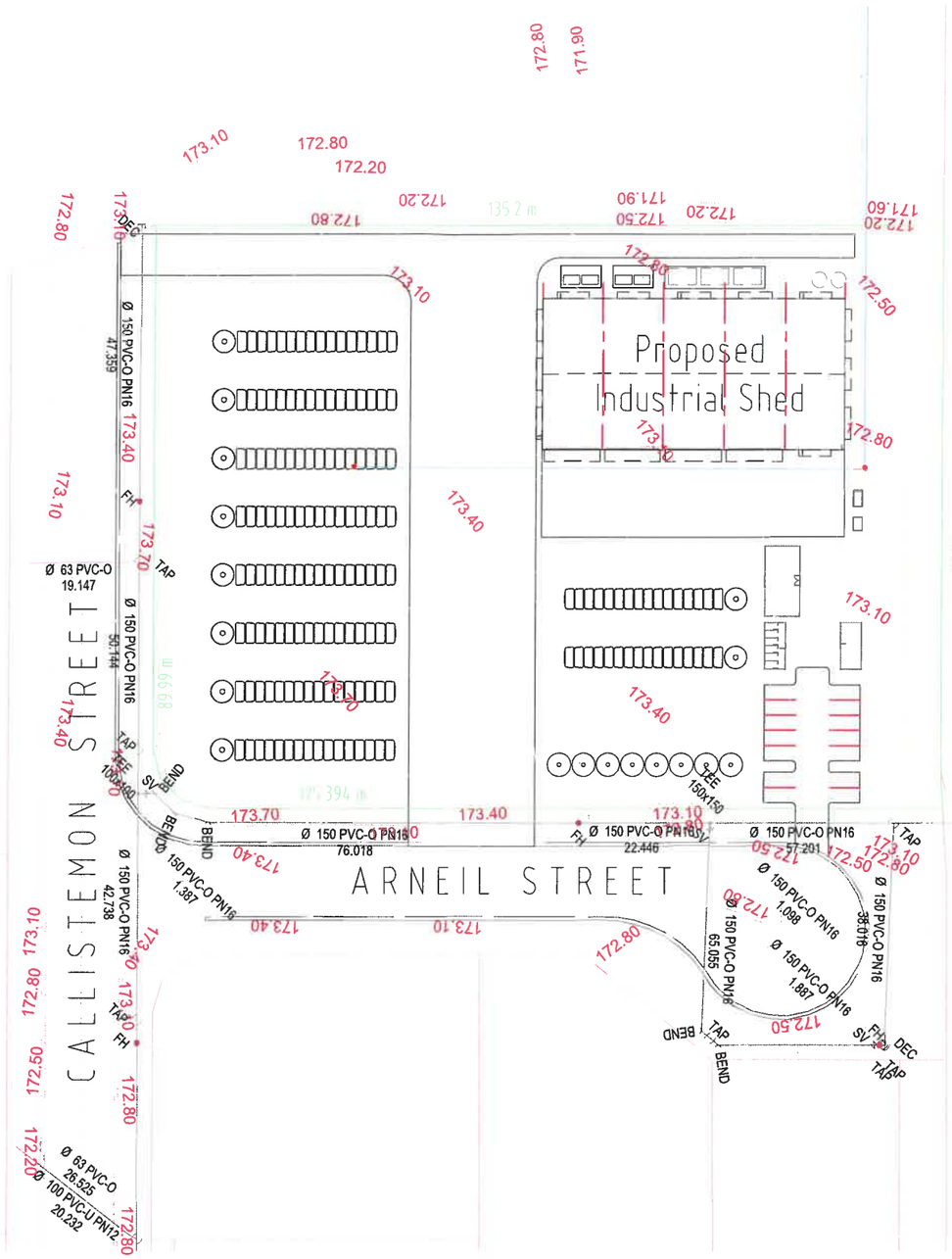
Figure 20: MUSIC Model Results

6. Conclusions

This Stormwater Management Plan details the proposed stormwater design and infrastructure for the project in accordance with Queensland Urban Drainage Manual, Banana Shire Council Guidelines and State Planning Policy (SSP) (2016) code water quality objectives (WQO's).

The Stormwater Quality Improvement Device (SQID's) proposed for the development include a bioretention basin and proprietary treatment devices upstream of the existing interallotment drainage network. The modelling of the proposed SQID's achieved the pollutant load Water Quality Objectives (WQO's) for the development. As such, by implementing the above SQID's into the proposed development, stormwater runoff from the site will be treated to the satisfaction of Council.

A detailed stormwater quantity analysis of the site has been undertaken using XPSWMM. The analysis highlights that the proposed changes in earthworks and buildings do not affect the external catchment conditions and is consistent with the master planned stormwater outcomes for the development.



master PLAN
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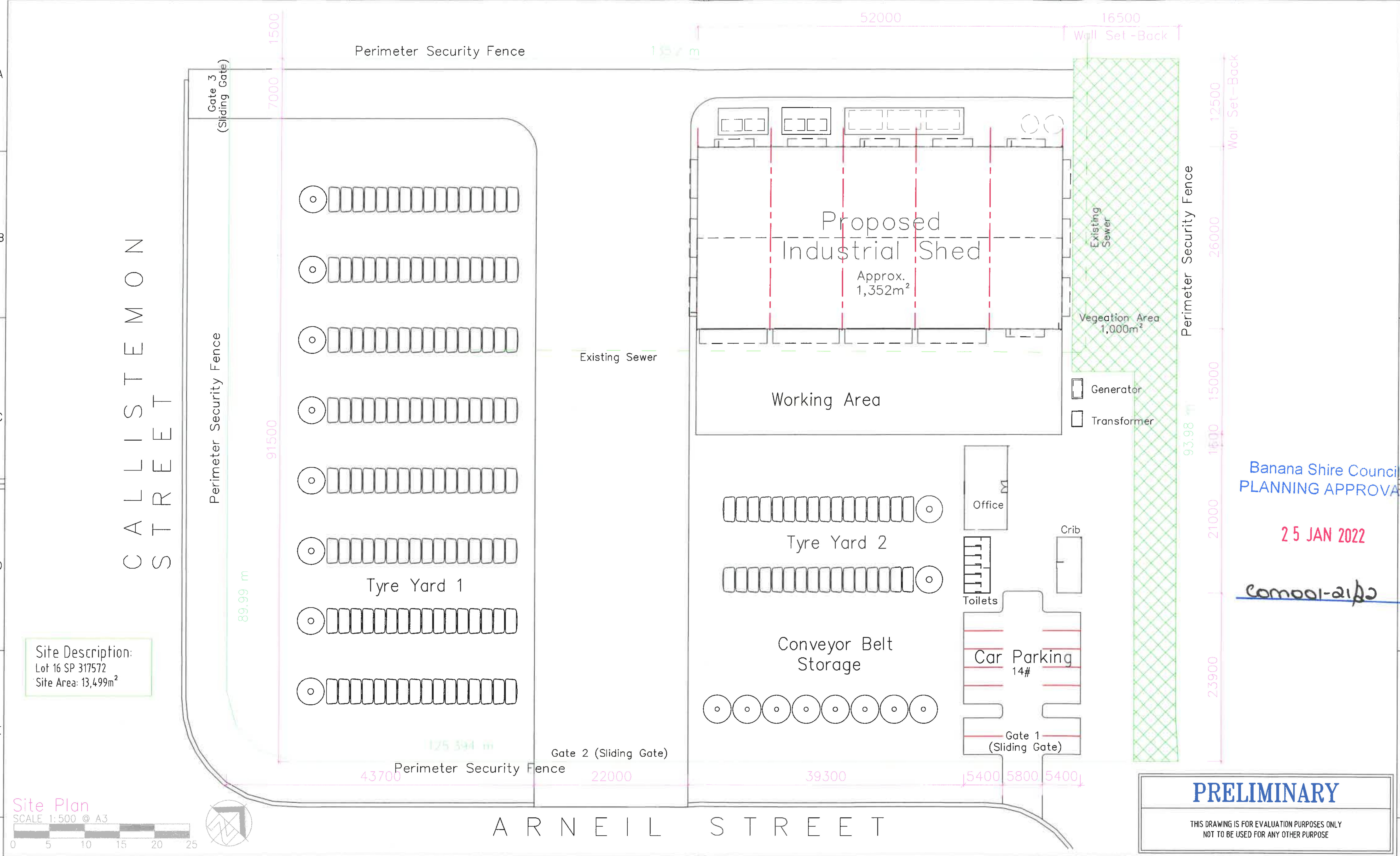
PROPOSED INDUSTRIAL SHED
TYRE RECYCLING PLANT - LOT 16 - SP317572
MASTER PLAN

HDE JOB No.	6198		SHEET 2 OF 7
DRAWING No.	6198-C-011	Rev B	A3



Perimeter Security Fence
52000
16500
Wall Set-Back
Gate 3 (Sliding Gate)
Proposed Industrial Shed
Approx. 1,352m²
Existing Sewer
Vegeation Area 1,000m²
Perimeter Security Fence
Existing Sewer
Working Area
Generator
Transformer
CALLISTEMON STREET
Perimeter Security Fence
Office
Crib
Tyre Yard 2
Toilets
Tyre Yard 1
Conveyor Belt Storage
Car Parking
14#
Gate 1 (Sliding Gate)
Site Description:
Lot 16 SP 317572
Site Area: 13,499m²
Gate 2 (Sliding Gate)
Perimeter Security Fence
43700
22000
39300
5400
5800
5400
Site Plan
SCALE 1:500 @ A3
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ARNEIL STREET
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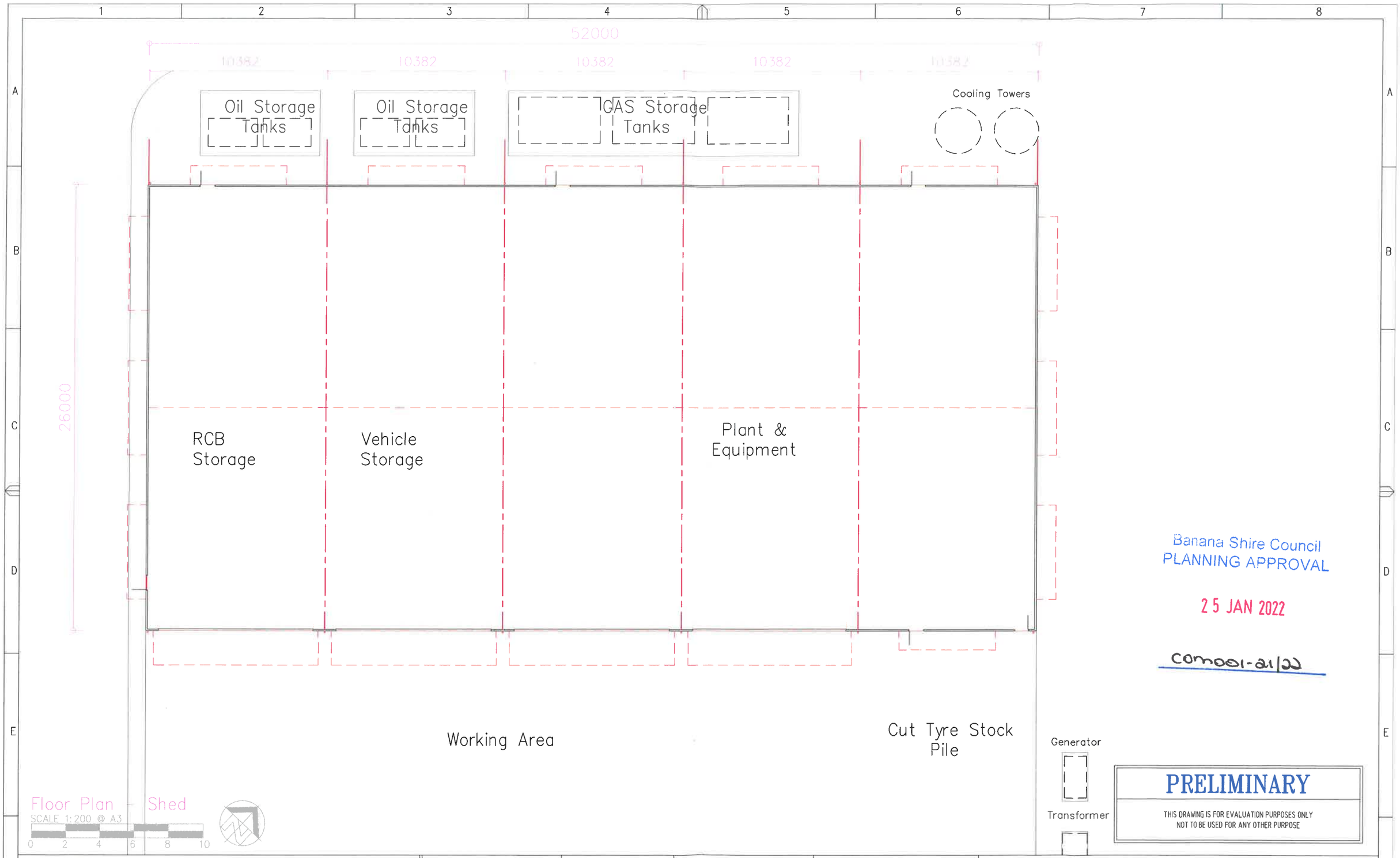
PROPOSED INDUSTRIAL SHED
TYRE RECYCLING PLANT - LOT 16 - SP317572
SITE PLAN

HDE JOB No. 6198 SHEET 3 OF 7
DRAWING No. 6198-C-012 Rev B A3



Floor Plan - Shed

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PROPOSED INDUSTRIAL SHED
TYRE RECYCLING PLANT - LOT 16 - SP317572
FLOOR PLAN - SHED

HDE JOB No.	6198		SHEET 4 OF 7
DRAWING No.	6198-C-013	Rev B	A3

Floor Plan

SCALE 1:100 @ A3

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FLOOR PLAN

HDE JOB No.	6198		SHEET	5 OF 7
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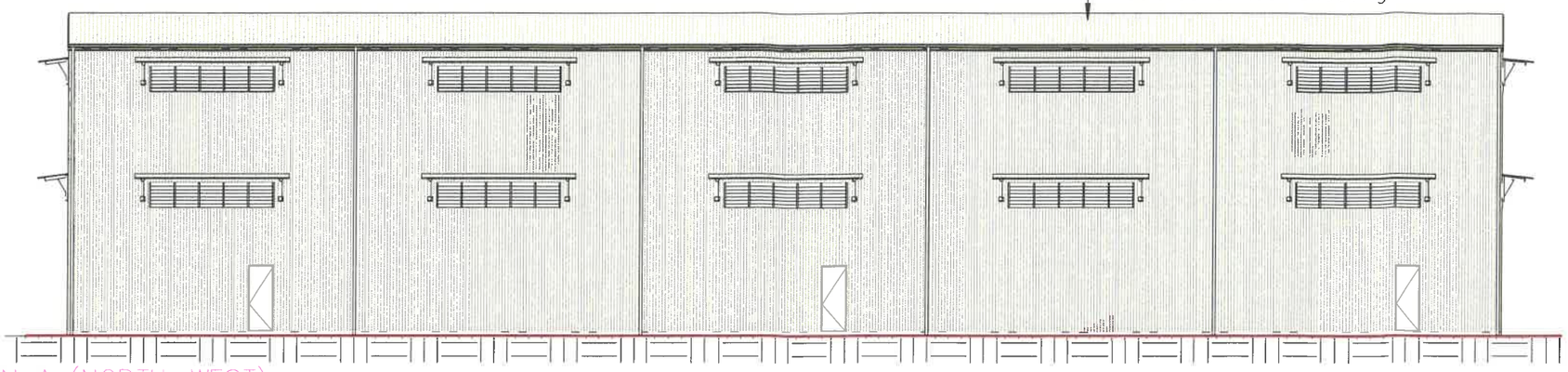
Colorbond Roof Sheeting



ELEVATION A (NORTH-WEST)
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Colorbond Wall Sheeting

ELEVATION B (NORTH-EAST)
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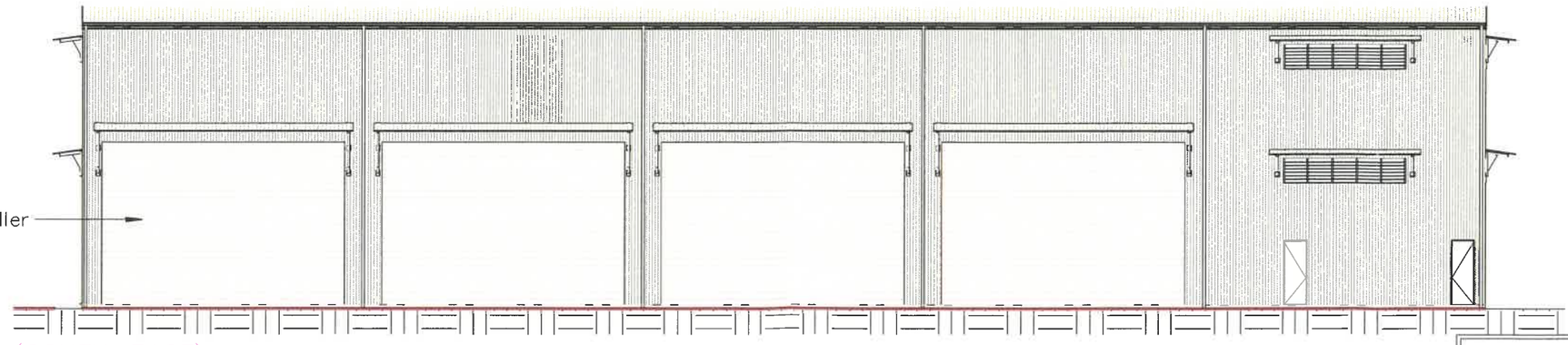
Fixed Metal Louvres

ELEVATION D (SOUTH-WEST)
1 : 200 @ A3

Colorbond Roller Door



ELEVATION C (SOUTH-EAST)
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SCALE 1:100 @ A3
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PROPOSED INDUSTRIAL SHED
TYRE RECYCLING PLANT - LOT 16 - SP317572
ELEVATIONS

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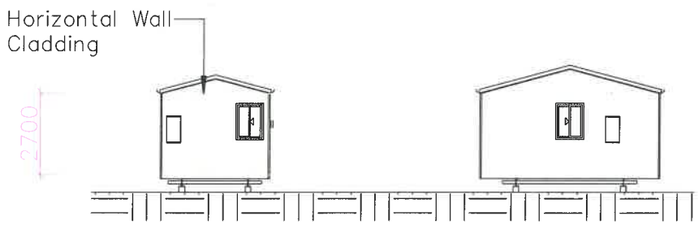

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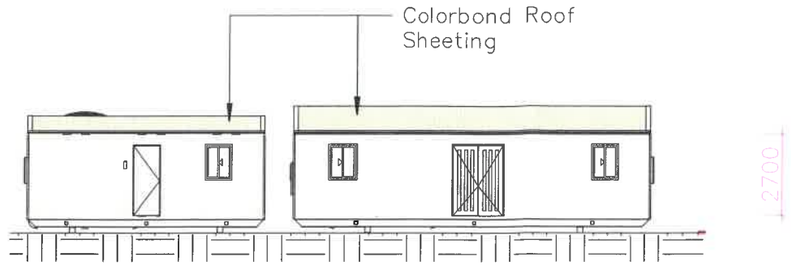

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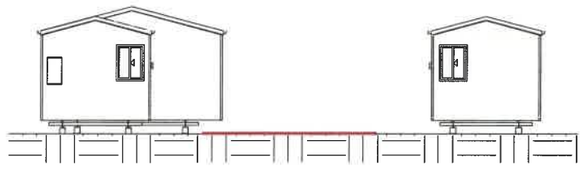

ELEVATION C (SOUTH-EAST)
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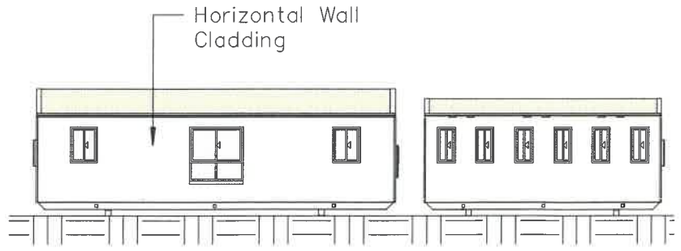

ELEVATION D (SOUTH-WEST)
1 : 200 @ A3

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SCALE 1:200 @ A3
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PROPOSED INDUSTRIAL SHED
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ELEVATIONS

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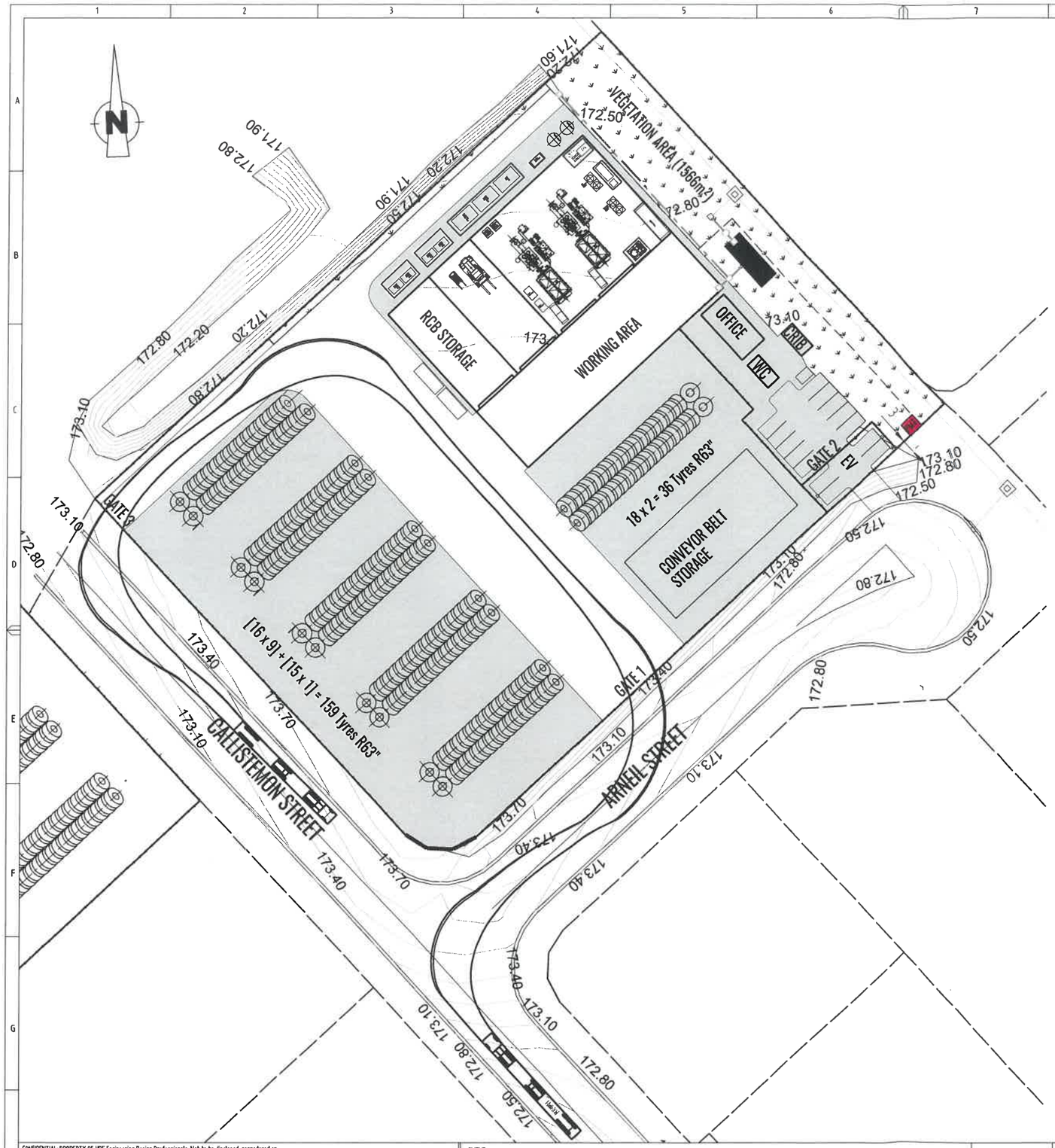

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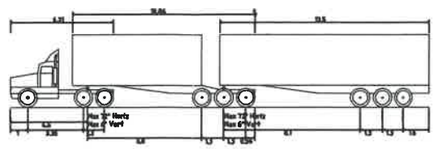

B-Double (25.0m)	
Overall Length	25.000m
Overall Width	2.500m
Overall Body Height	4.300m
Min Body Ground Clearance	0.540m
Track Width	2.500m
Lock-to-lock time	6.00s
Curb to Curb Turning Radius	15.000m

NOTES:

1 - ALL DIMENSIONS IN METRES U.N.O.

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03.2.90.8091	GREEN CARBON TYR - TWO REACTOR LAYOUT

	NAME	SIGNATURE	DATE
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DRAWN	DANIEL BUZINARI		08/12/2021
CHECKED	GEORGE GLAB		08/12/2021
APPROVED	GAVIN FIELDS		08/12/2021

SCALE:

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BILOELA - NOVUM
TYRE RECYCLING PLANT - LOT 16 - SP317572
VEHICLE TURNING PLAN

HDE JOB No.	6198		SHEET 1 OF 1
DRAWING No.	6198-C-1013	Rev A	A1

Attachment 4
Infrastructure Charges Notice

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Planning Act 2016 and *Local Government Act 2009*

TO:

Applicant:	Novum Nona Pty Ltd	**File Number:**	COM001-21/22
Address:	1 Arneil Street, Biloela	**Date of Issue:**	25 January 2022

LAND TO WHICH THE INFRASTRUCTURE CHARGE APPLIES

Planning Scheme:	*Banana Shire Planning Scheme 2021*
RPD:	16SP317572

DEVELOPMENT TO WHICH THE ADOPTED INFRASTRUCTURE CHARGE APPLIES

The adopted infrastructure charge applies to the following development type:

Material Change of Use for Medium Impact Industry (End of Life Tyre facility and ERA 7 & 61)

AMOUNT OF THE ADOPTED INFRASTRUCTURE CHARGE

The adopted infrastructure charge has been calculated in accordance with an adopted infrastructure charge under the *Planning Act 2016*.

Industry

Development Type	Units Payable	Current Unit Charge	Charge
Medium Impact Industry	1,352m^2	$43.93 (including PPI)	$59,393.36
		Total Infrastructure Charges:	**$59,393.36**

ADJUSTMENTS TO THE CHARGE

The charge rates included in this notice are valid until 30 June 2022, after which they will be subject to index adjustment. Please contact Banana Shire Council's Development & Environmental Services Department – Planning Section prior to payment for a review or reissue of this notice if applicable.

DUE DATE FOR PAYMENT

Charges are payable as follows:

(a) if the charge applies to reconfiguring a lot – prior to the signing of the Survey Plan;
(b) if the charge applies to building work – prior to the issue of a certificate of classification; or
(c) if the charge applies to a material change of use – before the change of use happens.

PAYMENT DETAILS

Charges are payable to **Banana Shire Council**.
Payment can be made at Council's Chambers:
62 Valentine Plains Road, VALENTINE PLAINS, BILOELA

or by mail with your cheque or money order to **Banana Shire Council, PO Box 412, BILOELA QLD 4715**. Cheques must be made payable to Banana Shire Council and marked 'Not Negotiable'. Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted.

GOODS AND SERVICES TAX

The Federal Government has determined that rates and utility charges levied by local government will be GST free. Accordingly, no GST is included in this infrastructure charges notice.

FAILURE TO PAY CHARGE
An adopted infrastructure charge levied by a local government is, for the purposes of recovery, taken to be a rate within the meaning of the *Local Government Act 2009*. Compound annual interest at 11% calculated daily is to be applied to an overdue charge.

This notice will lapse if the development approval stops having effect.

APPEAL RIGHTS
Attached is an extract from the *Planning Act 2016,* which details the appeal rights in relation to this notice.

Authorised by: _____
Chris Welch
DIRECTOR COUNCIL SERVICES

Enquiries regarding this Adopted Infrastructure Charges Notice should be directed to Banana Shire Council's Development & Environmental Services Department - Planning Section on (07) 4992 9500 or by email enquiries@banana.qld.gov.au and by quoting the relevant development application number.

Chapter 4, Part 4, Division 2, Subdivision 5

124 Application of this subdivision

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

125 Representations about infrastructure charges notice

(1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.

(2) The local government must consider the representations.

(3) If the local government—

(a) agrees with a representation; and

(b) decides to change the infrastructure charges notice;

the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a ***negotiated notice***) to the recipient.

(4) The local government may give only 1 negotiated notice.

(5) A negotiated notice—

(a) must be in the same form as the infrastructure charges notice; and

(b) must state the nature of the changes; and

(c) replaces the infrastructure charges notice.

(6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.

(7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.

126 Suspending relevant appeal period

(1) If the recipient needs more time to make representations, the recipient may give a notice suspending the relevant appeal period to the local government.

(2) The recipient may give only 1 notice.

(3) If the representations are not made within 20 business days after the notice is given, the balance of the relevant appeal period restarts.

(4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the relevant appeal period restarts the day after the local government receives the notice of withdrawal.

Schedule 1, Table 1, Item 4

Infrastructure charges notices

An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—

(a) the notice involved an error relating to—

(i) the application of the relevant adopted charge; or

Examples of errors in applying an adopted charge—

• the incorrect application of gross floor area for a non-residential development

• applying an incorrect 'use category', under a regulation, to the development

(ii) the working out of extra demand, for section 120; or

(iii) an offset or refund; or

(b) there was no decision about an offset or refund; or

(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or

(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—