Permit

Environmental Protection Act 1994

Environmental authority EA0000829

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

Environmental authority number: EA0000829

Environmental authority takes effect on a date to be decided later.

Environmental authority holder(s)

Name(s)	Registered address
Cherbourg Aboriginal Shire Council	22 Barambah Avenue CHERBOURG QLD 4605

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 62 - Waste transfer station operation, Operating, on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity of at least 30t or 30 cubic metres of waste on any day	LOT 351/SP280472

Additional information for applicants

Environmentally relevant activities

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

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

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

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

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For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the Sustainable Planning Act 2009 or an SDA Approval under the State Development and Public Works Organisation Act 1971), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

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

Date issued: 01 June 2017

Enquiries:
Heritage, Utilities and Government Assessment
Department of Environment and Heritage Protection
Phone: 1300 130 372
Email: palm@ehp.qld.gov.au

Legislative Requirements and Conditions of Environmental Authority

Condition

General

PMG008	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.
PMG007	Any breach of a condition of this environmental authority must be reported to the administering authority as soon as practicable within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions taken.
PCG011	All records must be kept for a period of at least five years and provided to the administering authority upon request.
PMG015	An appropriately qualified person(s) must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.
PMG009	When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority to investigate a complaint of environmental nuisance arising from the activity. The monitoring results must be provided within 10 business days to the administering authority upon its request.
PCG010	The activity must be undertaken in accordance with written procedures that: (a) identify potential risks to the environment from the activity during routine operations and emergencies; and (b) establish and maintain control measures that minimise the potential for environmental harm; and (c) ensure plant, equipment and measures are maintained in a proper and effective condition; and (d) ensure plant, equipment and measures are operated in a proper and effective manner; and (e) ensure that staff are trained and aware of their obligations under the Environmental Protection Act 1994; and (f) ensure that reviews of environmental performance are undertaken at least annually.
PMG021	All reasonable and practicable measures must be taken to contain litter within the waste operations area, and retrieve litter released.
PMG019	All reasonable and practicable measures must be taken to exclude vectors and pest species to the extent necessary to prevent: 1. environmental nuisance to occupiers of neighbouring premises 2. any danger or risk to the health of any persons.
PCG012	Chemicals, fuels and liquid wastes in containers of greater than 15 litres must be stored within a secondary containment system.

Air

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PMA001 Other than as permitted within this environmental authority, odours or airborne contaminants must not cause environmental nuisance at a sensitive place or commercial place.

Acoustic

PCN006 Noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.

Water

PCW014 Contaminants must not be released to any waters.

PMW014 All batteries, liquid chemicals, fuels, and other liquid substances with potential to cause environmental harm must be stored within a secondary containment system that is impervious to the materials stored within it, and must be managed to prevent the release of contaminants to waters or land.

Land

PCL005 Contaminants must not be released to land.

PCG037 All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.

Definition

PD075 24 hour storm event with an average recurrence interval of 1 in 10 years means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 10 years. For example, an Intensity-Frequency-Duration table for a 24 hour duration event with an average recurrence interval of 1 in 10 years, identifies a rainfall intensity of 8.2mm/hour. The rainfall depth for this event is therefore 24 hour x 8.2mm/hour = 196.8mm.

PD077 Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

PD078 Administering authority means the Department of Environment and Heritage Protection or its successors or predecessors.

PD085 Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirement using the relevant protocols, standards, methods or literature.

PD099 Commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

PD110 Disturbed includes areas:
1. that are susceptible to erosion;
2. that are contaminated by the activity; and/or
3. upon which stockpiles of soil or other materials are located.

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PD123 Environmental nuisance as defined in Chapter 1 of the Environmental Protection Act 1994.

PD124 Environmental value as defined under Chapter 1 of the Environmental Protection Act 1994.

PD129 Groundwater means water that occurs naturally in, or is introduced artificially into, an aquifer.

PD133 Incompatible waste means waste that may chemically react when:
1. placed in proximity to other wastes; and/or
2. mixed with other wastes.

PD136 Land does not include waters.

PD141 Liquid means any substance that:
1. has an angle of repose of less than five degrees; or
2. becomes free flowing at or below 60 degrees Celsius or when it is transported; or
3. is not generally capable of being picked up by a spade or shovel.

PD144 Measures have the broadest interpretation and include plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

PD147 NATA means National Association of Testing Authorities.

PD163 Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

PD172 Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

PD176 Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:
1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the Nature Conservation Act 1992, the Marine Parks Act 2004 or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

PD199 Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

PD202 You means the holder of the environmental authority.

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