Permit

Environmental Protection Act 1994

Environmental authority EA0001189

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

Environmental authority number: EA0001189

Environmental authority takes effect on 12 March 2018

Environmental authority holder(s)

Name(s)	Registered address
MULCH MANAGEMENT (AUST) PTY LTD	125A Pearson Road YATALA QLD 4207

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 33 - Crushing, milling, grinding or screening, Crushing, grinding, milling or screening more than 5000t of material in a year	Mobile and Temporary within the State of Queensland

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.

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’.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

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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 Planning Act 2016 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.

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

Enquiries:
Waste and Contaminated Land Assessment
Department of Environment and Heritage Protection
Phone: 1300 130 372
Email: palm@ehp.qld.gov.au

Date issued: 12 March 2018

Obligations under the Environmental Protection Act 1994

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

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

Legislative Requirements and Conditions of Environmental Authority

Legislative Requirements

This permit only provides an approval under the Environmental Protection Act 1994. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site

A registered suitable operator must keep a work diary in the approved form for a mobile and temporary environmentally relevant activity carried out by the operator.

Condition

General

G1 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.

G2 The **release of a contaminant into the environment** must not occur.

G3 All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the activities.

G4 The **activity** must be undertaken in accordance with written procedures that:

1. identify potential risks to the environment from the **activity** during routine operations and emergencies; and
2. establish and maintain control **measures** that minimise the potential for environmental harm; and
3. ensure plant, equipment and **measures** are maintained in a proper and effective condition; and
4. ensure plant, equipment and **measures** are operated in a proper and effective manner; and
5. ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994*; and
6. ensure that reviews of environmental performance are undertaken at least annually.

G5 All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.

G6 Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**

G7 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.

G8 All analyses required under this environmental authority must be carried out by a laboratory that has NATA certification, or an equivalent certification, for such analyses.

G9 An **appropriately qualified person(s)** must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in a manner specified by this environmental authority.

G10 All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.

Condition

Acoustic

N1 Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**

Condition

Air

A1 Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**

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Condition

Land

L1 Contaminants must not be released to **land**.

Condition

Water

WT1 Contaminants must not be released to any **waters**.

Definition

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.

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*.

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.

PD157 **Prescribed water contaminants** means **contaminants** listed within Schedule 9 of the Environmental Protection Regulation 2008.

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

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.

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