Permit

Environmental Protection Act 1994

Environmental authority EA0002012

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

Environmental authority number: EA0002012

Environmental authority takes effect on the date of approval.

The anniversary date of this environmental authority is the same day each year as the effective date. The payment of the annual fee will be due each year on this day.

Environmental authority holder

Name	Registered address
AUSTRALIAN RECYCLING & EQUIPMENT PTY LTD	99 Balthazar Circuit MOUNT COTTON QLD 4165

Environmentally relevant activity and location details

Environmentally relevant activity	Location
ERA 62 - Resource recovery and transfer facility operation 1: Operating a facility for receiving and sorting, dismantling, baling or temporarily storing- (a) scrap metal, non-putrescible waste or green waste only	38 Boron St SUMNER QLD 4074 Lot 14 RP168126

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'.

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.

Olga Hawas
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Waste and Contaminated Land Assessment
400 George Street, Brisbane, QLD, 4000
1300 130 372 (Option 4)
palm@des.qld.gov.au

30 October 2019

Queensland Government

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)

Other permits required

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. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Natural Resources and Mines (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Development approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

Agency interest: General	
Condition number	**Condition**
G1	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the **activities**.
G2	Any breach of a condition of this environmental authority must be reported to the **administering authority** as soon as practicable and within 24 hours of becoming aware of the breach. **Records** must be kept including full details of the breach and any subsequent actions taken.
G3	**Activities** under this environmental authority must be conducted in accordance with the following limitations: a) the activity must only receive: i. scrap metal.
G4	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.
G5	Written procedures must be developed for the **activity** that meet the following standards: a) Identify all potential risks to the environment from the **activity**, including when the activity is not in operation or in an emergency; b) Establish and maintain control **measures** that prevent and/or minimise the potential for environmental harm; c) Detail an inspection and maintenance program that ensure all plant and equipment are maintained in a proper and effective condition; d) Ensure plant and equipment are operated in a proper and effective manner; e) Detail how and when staff training is to be conducted (at least annually) to ensure awareness of obligations under the environmental authority and the *Environmental Protection Act 1994*; and f) Detail how reviews of environmental risks and environmental performance, including complaints, are undertaken at regular intervals (at least annually).
G6	Procedures required by condition G5 must be implemented so the **activity** is undertaken in accordance with these procedures.
G7	Procedures required by condition G5 must be reviewed at least annually.
G8	When required by the **administering authority**, monitoring must be undertaken in the manner prescribed by the **administering authority** to investigate a complaint of environmental harm, which includes **environmental nuisance**, arising from the **activity**. The monitoring data and an analysis of the results must be provided within 10 business days to the **administering authority** upon its request.
G9	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**

Agency interest: Waste	
Condition number	**Condition**
W1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
W2	**Incompatible wastes** must not be mixed in the same container or waste storage area.
Agency interest: Acoustic	
Condition number	**Condition**
N1	Other than as permitted within this environmental authority, noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**
Agency interest: Air	
Condition number	**Condition**
A1	Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.
A2	**Contaminants** must not be released to air from any point source.
Agency interest: Land	
Condition number	**Condition**
L1	**Contaminants** must not be released to **land**.
Agency interest: Water	
Condition number	**Condition**
WT1	**Contaminants** must not be released to any **waters**.

Definitions

Key terms and/or phrases bolded in this environmental authority are defined in this section. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

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

Administering authority means the Department of Environment and Science or its successors or predecessors.

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.

Contaminant(s) as defined in Section 11 of the *Environmental Protection Act 1994*.

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

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

Incompatible waste means waste that may chemically react when:

a) placed in proximity to other wastes; and / or
b) mixed with other wastes.

Land does not include **waters**.

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

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

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.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
- a park or garden; or
- for noise, a place listed as a sensitive receptor in Schedule 1 of the Environmental Protection (Noise) Policy 2019.

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.

END OF ENVIRONMENTAL AUTHORITY