Permit

Environmental Protection Act 1994

Environmental authority EA0002396

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

Environmental authority number: EA0002396

Environmental authority takes effect on the date that your related development approval MCU\01907.01 takes effect. Within 20 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

The first annual fee is payable within 20 business days of the effective date.

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. An annual return will be due each year on 1 March.

Environmental authority holder

Name	Registered address
Darryl John Wiggins	14 Project Street WARWICK QLD 4370

Environmentally relevant activity and location details

Environmentally relevant activity	Location
ERA 53 – Organic material processing Processing more than 200t of organic material in a year – (a) by composting the organic material	143 Old Stanthorpe Road, Morgan Park QLD 4370 Lot 2 RP818435

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).

ABN 46 640 294 485

Queensland Government

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.

The anniversary day 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. An annual return will be due each year on 01 March.

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.

Scott Blanchard
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

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

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, Mines and Energy (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

Location: 143 Old Stanthorpe Road, Morgan Park QLD 4370 - Lot 2 RP818435

Relevant Activities: ERA 53 – Organic material processing: Processing more than 200t of organic material in a year – (a) by composting the organic material

The environmentally relevant activities conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	**Condition**
G1	**Activities** under this environmental authority must be conducted in accordance with the following limitations: a) Composting activities, including storage of feedstock and finished composting products, must only be undertaken within the bunded hardstand pads as shown in *Appendix 1 – Site layout*.
G2	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the **activities**.
G3	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 undertaken.
G4	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
G5	All information and **records** required by the conditions of this environmental authority must be kept for a minimum of five years with the exception of environmental monitoring results which must be kept until surrender of this environmental authority. All information and **records** required by the conditions of this environmental authority must be provided to the **administering authority** upon request and in the format requested.
G6	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.
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	The following details of all environmental complaints received must be recorded: a) date and time the complaint was received b) name and contact details of the complainant when provided and authorised by the complainant c) nature of the complaint

	d) investigation undertaken e) conclusions formed f) actions taken.
G9	Written procedures must be developed and documented within three months of the environmental authority taking effect that: a) identify all potential risks to the environment from the activity, including during routine and non-routine operations, during closure and in an emergency; and b) identify **measures** to prevent or minimise the potential for environmental harm for each of the potential risks identified; and c) establish an inspection and maintenance program for plant and equipment including calibration and servicing that is in accordance with manufacturer's instructions; and d) establish a staff training program on obligations under this environmental authority and the Environmental Protection Act 1994 to be conducted as part of staff inductions and at least annually; and e) establish processes to review environmental risks, incidents, performance and complaints.
G10	Written procedures required by condition G9 must include an Odour Management Plan which includes: a) objectives/targets of what is intended to be achieved; b) management strategies for the overall approach to be taken to meet/maintain the stated objectives/targets; c) management strategies to minimise odour at the source(s); d) tasks/actions required for the successful implementation of the nominated strategies, including any necessary permit applications and consultations; e) performance indicators against which the level of achievement of the stated objectives/targets will be measured; f) monitoring of odour at the source(s); g) frequency/deadline or time frame in which each of the tasks/actions is to be carried out and/or completed; h) responsible person/organisation for carrying out each task/action; i) reporting and review arrangements (including any auditing) for each task: how often; and to whom; and corrective actions to be undertaken if the stated objectives/targets are not being met or maintained, including who is responsible for taking required actions.
G11	Written procedures required by condition G9 must be: a) implemented; and b) reviewed at least annually; and c) provided to the **administering authority** upon request at the time and in the format requested.
G12	For plant and equipment, all **measures** necessary to comply with the conditions of this environmental authority must be: a) installed, operated and maintained in a proper and effective manner; and b) in accordance with condition G9.
G13	Chemicals, fuels and liquid wastes in containers of greater than 15 litres must be stored within a **secondary containment system**.

G14	All reasonable and practicable **measures** must be taken to exclude vectors and pest species to the extent necessary to prevent: a) **environmental nuisance** to occupiers of neighbouring premises b) any danger or risk to the health of any persons.

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	The only feedstocks to be received, stored or processed under this environmental authority are those listed in *Table 1- Approved Feedstock*. **Table 1 – Approved Feedstock** **Waste description** A substance used for manufacturing fertiliser for agricultural, horticultural or garden use Animal manure Food and food processing waste **Green waste** Grease trap waste Poultry processing waste Mushroom compost Waste generated from an abattoir
W3	**Records** must be maintained of the volume and type of waste accepted on site.
W4	All manufactured compost must be: a) of a suitable quality for the proposed end use; and b) meet the requirement of the latest addition of Australia Standard (AS) 4454 Composts, soil conditioners and mulches.
W5	Any liquid wastes that cannot be injected immediately into the windrows must be stored in enclosed tanks that are fitted with a pollution control system such as a biofilter.
W6	**Leachate** must be reused within compost windrows or removed by an appropriately licenced person to a facility that can accept the waste.

Agency interest: Air	
Condition number	**Condition**
A1	Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive** or **commercial place**.

A2	Dust and particulate matter emissions must not exceed the following concentrations at any **sensitive place** or **commercial place**: a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions); or b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM_{10}) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 (or more recent editions) or any other method approved by the **administering authority**.

Agency interest: Land	
Condition number	**Condition**
L1	Land that has been disturbed for **activities** conducted under this environmental authority must be rehabilitated in a manner such that: a) the potential for erosion is minimised b) the quality of water, including seepage, released from the site does not cause environmental harm c) the potential for **environmental nuisance** caused by dust is minimised d) the water quality of any residual water body does not have potential to cause environmental harm e) suitable native species of vegetation for the location are established and sustained for earthen surfaces where beneficial for the end land use.
L2	An area which provides an impervious barrier to subsoil and **waters** must be used for: a) receiving, mixing and storing processing materials for the **activity;** b) collecting and storing **leachate;** and c) collecting and storing stormwater from the **disturbed areas**.

Agency interest: Acoustic	
Condition number	**Condition**
N1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive** or **commercial place.**

Agency interest: Water	
Condition number	**Condition**
WT1	Contaminants must not be released to any **waters** in a manner that causes or is likely to cause environmental harm.
WT2	The stormwater runoff from **disturbed areas**, generated by a storm event up to and including a **24 hour storm event with an average recurrence interval of one-in-ten years** must be retained on site or managed to remove contaminants before released offsite.

WT3

An **appropriately qualified person(s)** must monitor and record all indicators required by and in accordance with *Table 2 – Water monitoring* and the associated monitoring requirements.

Table 2 – Water monitoring

Monitoring point	Indicators	Monitoring frequency
Containment dam identified in Appendix 1 – Site Layout	Total suspended solids (TSS)	Quarterly
	pH	
	Electrical Conductivity (EC)	
	Dissolved Oxygen (DO)	
	Total Nitrogen (TN) and Total Phosphorus (TP) (µg/L)	

Associated requirements

1. Monitoring must be in accordance with the methods prescribed in the current edition of the **administering authority's** *Water Quality Sampling Manual*.
2. Samples must be taken using representative samples.
3. All determinations must employ analytical practical quantification limits sufficiently low enough to enable comparisons to be made against water quality objectives/limits relevant to the particular water quality characteristic.
4. All monitoring devices must be correctly calibrated and maintained.

Definitions

Key terms and/or phrases used in this document 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.

24 hour storm event with an average recurrence interval (ARI) 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.

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 successor or predecessors.

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

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.

Disturbed areas 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.

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

Green waste means grass cuttings, trees, bushes, shrubs, loppings of trees, bushes or shrubs, or similar matter produced as a result of the ordinary use or occupation of premises.

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

Leachate means a liquid that has passed through or emerged from, or is likely to have passed through or emerged from, a material stored, processed or disposed of at the site that contains soluble, suspended or miscible contaminants likely to have been derived from the said material.

Measures has 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.

Release of a contaminant into the environment means to:

(a) deposit, discharge, emit or disturb the contaminant

(b) cause or allow the contaminant to be deposited, discharged, emitted or disturbed

(c) fail to prevent the contaminant from being deposited, discharged emitted or disturbed

(d) allow the contaminant to escape

(e) fail to prevent the contaminant from escaping.

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:

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 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.

Appendix 1 – Site Layout



END OF ENVIRONMENTAL AUTHORITY