Permit

Environmental Protection Act 1994

Environmental authority EAF-8007580

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

Environmental authority number: EAF-8007580

Environmental authority takes effect on the day the authority is issued.

The anniversary date of this environmental authority is 1 March each year. The payment of the annual fee will be due each year on this day.

Environmental authority holder

Name	Registered address
Sims Group Australia Holdings Limited	5 Lawson Street, NERANG QLD 4211

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	5 Lawson Street, NERANG QLD 4211 Lot 8 N1169, Lot 9 N1169, Lot 10 N1169

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).

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.

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.

S. Thomas

Signature

31/1/2020

Date

Sally Thomas
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

Legislative requirements and conditions of environmental authority

Legislative requirements

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.

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)

Conditions of environmental authority

1.0 CONDITIONS OF RELEASE

1.1 Contaminants must not be released to the environment where the release will or may cause environmental harm unless such release is authorised by this Administering Authority.

2.0 NOISE

2.1 Noise emissions from the premises shall not cause environmental harm and shall not exceed the maximum noise levels prescribed by the Environmental Protection (Interim) Regulations 1995, Noise Environmental Protection Policy or an Environmental Protection Order.

3.0 AIR

3.1 Odour and visible contaminants, including dust, smoke, fumes and aerosols must not be released to the environment in a manner that will or may cause environmental harm unless such release is authorised by this Administering Authority.

3.2 Incineration or open burning shall not be carried out on site.

4.0 WATER

4.1 Only rainwater from uncontaminated areas shall drain directly into the stormwater drainage system.

4.2 The activity shall be conducted in a manner to prevent and/or minimise the contamination of surface stormwater runoff.

4.3 Wastewater shall not be released to stormwater, groundwater, waterbodies of the state or on to the ground.

4.4 Stormwater shall be diverted away from storage and contaminated work areas.

5.0 WASTE

5.1 Waste shall not be released to the environment which will or may cause environmental harm unless such release is authorised by the Administering Authority.

5.2 Waste shall be disposed of in a manner approved of by the Administering Authority

5.3 Wastewater or other liquid waste shall be either directed to the sewer system under the conditions of a trade waste permit, stored in a holding tank for on site treatment and reuse or removed to an approved waste facility or disposed in a manner approved by the Administering Authority.

6.0 LIGHT

6.1 Lighting used to illuminate any areas of the premises shall be angled or shaded in such a manner so that light does not directly illuminate any nearby premises or roadways.

7.0 TRAINING

7.1 All persons engaged in the conduct of the activity shall be trained in the practices and procedures relating to the prevention of environmental harm during operations and emergencies.

8.0 NOTICE OF OTHER DUTIES

8.1 The holder of this environmental authority is advised that not withstanding this environmental authority, there may be obligations at law created by the Federal, State and Local Governments.

Definitions – General

For the purposes of the environmental authority, any term not otherwise defined in this approval has the meaning conferred to that term in the *Environmental Protection Act 1994* or in the absence of a meaning in the Act, has the meaning conferred to that term in its common use.

In the event of any inconsistency arising between the meaning of any term provided in this approval, and the meaning in the Act or any common usage of that term, the meaning conferred in this approval will apply.

'Administering authority' means:

a For a matter, the administration and enforcement of which has been devolved to a local government under Section 514 of the *Environmental Protection Act 1994* – the local government; or

b For another matter – The Chief Executive.

'Authorised person' means a person authorised under the *Environmental Protection Act 1994*.

'Contaminant' can be:

a A gas, liquid or solid;

b An odour;

c An organism (whether alive or dead), including a virus;

d Energy, including noise, heat, radioactivity and electromagnetic radiation; or

e A combination of contaminants.

'Environmental harm' is any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value, and includes environmental nuisance.

'Environmental nuisance' is unreasonable interference or likely interference with an environmental value caused by:

a Aerosols, fumes, light, noise, odour, particles or smoke;

b An unhealthy, offensive or unsightly condition because of contamination; or

c Another way prescribed by regulation.

'Noise' includes vibration of any frequency, whether emitted through air or another medium.

'Noxious' means harmful or injurious to health or physical well-being.

'Offensive' means causing offence or displeasure; is disagreeable to the sense; disgusting; nauseous or repulsive.

'Premises' means the real property description of the activity as identified on the environmental authority certificate.

'Regulated waste' means non-domestic waste defined in the '*Environmental Protection Regulation 2008*'.

'Release of contaminant' includes –

a To deposit, discharge, emit or disturb the contaminant;

b To cause or allow the contaminant to be deposited, discharged, emitted or disturbed.

c To allow the contaminant to escape; and

d To fail to prevent the contaminant from escaping.

'Sensitive Receptor' means any of the following places:

a A dwelling, library and educational institution (including a school, college, and university);

b A childcare centre or kindergarten;

c A school or playground;

d Hospital, surgery or other medical institution;

e Commercial and retail uses;

f A protected area, or an area identified under a conservation plan as a critical habitat or an area of major interest, under the *Nature Conservation Act 1992*;

g A marine park under the *Marine Parks Act 2004*; or

h A park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment.

'Suitably qualified and experienced person' means a person who has such competence and experienced in relation to that activity as is recognised in the relevant industry as appropriate to that activity. A suitably qualified and experienced person includes personnel that have been trained, authorised and accredited by the manufacturer of a specific item of equipment and/or process. Only a suitably qualified and experienced person can test, repair and reset the equipment after a fault.

'Uncontaminated Overland Stormwater Flow' and **'Uncontaminated Stormwater'** refer to stormwater that does not contain contaminants.

'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