Notice

Environmental Protection Act 1994

Amalgamation of environmental authorities

This notice is issued by the administering authority[1] pursuant to section 248 of the Environmental Protection Act 1994 to advise you of a decision relating to an amalgamation application for environmental authorities.

Winton Shire Council
75 Vindex Street
Winton QLD 4735

Email: wgreen@gbassoc.com.au
Attention: William Green

Your reference: EPPR00533613
Our reference: ZENDESK66495; 101/0018006

Decision made on application to amalgamate environmental authorities

1. Application details

The application ZENDESK66495 to amalgamate the environmental authories described below into an local government authority was received by the administering authority on 27 July 2020.

2. Decision

Your application to amalgamate environmental authority numbers EA0001928 and EPPR00533613 has been approved.

Your amalgamated local government authority is attached. The anniversary day and current annual fee for this authority are listed below.

Environmental authority number	Anniversary day	Current annual fee[2]
EPPR00533613	10 February	$18,011.50

[1] The Department of Environment and Science is the administering authority under the *Environmental Protection Act 1994*.

[2] Please note, this is the current annual fee. Annual fees increase each year due to yearly indexing. Annual fees for resource activities with an aggregate environmental score of 120 or more will increase as per section 159(3)(b) of the Environmental Protection Regulation 2019.

ABN 46 640 294 485

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Should you have any questions in relation to this notice, please contact Kopika Manoharan on telephone (07) 33306097.

	26 August 2020
Signature	Date

Liz Clarke
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Permit and Licence Management
Department of Environment and Science
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372

Email: palm@des.qld.gov.au

Attachments

Amalgamated environmental authority EPPR00533613.

Permit

Environmental Protection Act 1994

Environmental authority EPPR00533613

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

Environmental authority number: EPPR00533613

Environmental authority takes effect on the day of the approval.
The anniversary day of this environmental authority remains 10 February. 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.

Environmental authority holder

Name	Registered address
Winton Shire Council	75 Vindex Street WINTON QLD 4735

Environmentally relevant activity and location details

Environmentally relevant activity	Location
56 Regulated waste storage	Ayeshire Road Winton Qld 4735 - Lot 9 Plan SP175987
60-(1a) Waste disposal <50000t yr	Landsborough Highway, CORFIELD QLD (Northwest of Winton Township) – Lot 9 SP175991
63-(1b)(ii) Sewage treatment >100 to 1500EP - no IT or IR	Northwest of Winton Township – Lot 102 AE97
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Lot 3 Plan WM50
	Lot 4721 Plan SP268651
	Lot 4 Plan KN42
	Lot 4 Plan WDK25
	Lot 5 Plan WDK32
	Lot 3 Plan EL18
	Lot 5 Plan FM13
	Lot 6 Plan EL40
	Adjacent to Lot 1 Plan BT13
	Adjacent to Lot 2 Plan BT9

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	Adjacent to Lot 1 Plan SP136844
	Adjacent to Lot 1835 Plan EL54
	Adjacent to Lot 3 Plan EL12
	Adjacent to Lot 3 Plan FM14
	Adjacent to Lot 100 Plan SP249562
	Lot 351 Plan SP276167
	Lot 2 Plan BT9
	Lot 3698 Plan PH47
	Lot 1835 Plan EL54
	Lot 5100 Plan PH425
	Lot 3 Plan FM12
	Lot 1 Plan RK4
	Lot 350 Plan SP276167
	Lot 2148 Plan SP262009
	Lot 1 Plan AE141
	Lot 2 Plan SP204936
	Lot 4720 Plan PH1866
	Lot 5278 Plan SP271691

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:

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- 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.

E Clarke

Liz Clarke
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

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

Date issued: 26 August 2020

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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)

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Conditions of environmental authority Part 1: Site Specific Conditions

Schedule 1

Environmentally relevant activity	Location
56 Regulated waste storage	Ayeshire Road Winton Qld 4735 - Lot 9 Plan SP175987.

The environmentally relevant activity 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**
G1-1	A copy of this Environmental Authority must be kept in a location readily accessible to persons carrying out the activity.
G1-2	In carrying out the environmentally relevant activity, you must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have be prevented, shall be carried out in a proper manner in accordance with the conditions of this Environmental Authority.

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G1-3	The holder of this Environmental Authority must develop and implement a Site Based Management Plan (SBMP). The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and "continual improvement" in the overall environmental performance of all Environmentally Relevant Activities that are carried out. The Site Based Management Plan must address the following matters: 1. Environmental commitments- a commitment by senior management to achieve environmental goals; and 2. Identification of environmental issues and potential impacts, and 3. Control measures for routine operations to minimise likelihood of environmental harm; and 4. Contingency plans and emergency procedures for non-routine situations; and 5. Organisational structure and responsibility; and 6. Effective communication; and 7. Monitoring of contaminant releases; and 8. Conducting environmental impact assessments; and 9. Staff training; and 10. Record keeping; and 11. Periodic review of environmental performance and continual improvement; and 12. Risk assessment procedure.
G1-4	The registered operator must: 1. have completed and implemented the Site Based Management Plan before 1 May, 2011; and 2. have forwarded a copy of the draft Site Based Management Plan to the administering authority for their consideration and comment before 1 February, 2011; and 3. have due regard to that comment in the finalisation of the Site Based Management Plan.
G1-5	The Site Based Management Plan must be kept at the **authorised place**.
G1-6	The daily operation of the ERA and pollution control equipment must be carried out by a person(s) with appropriate experience and/or qualifications to ensure the effective operation of the activity and control equipment.
G1-7	The holder of this environmental authority must: 1. install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and 2. maintain such measures, plant and equipment in a proper and efficient condition; and 3. operate such measures, plant and equipment in a proper and efficient manner; and 4. install, maintain and operate plant and equipment that does not result in the release of contaminants to land and must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

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G1-8	Record, compile and keep all monitoring results required by this approval and present this information to the **administering authority** when requested.
G1-9	All **records** required to be kept in relation to monitoring must be kept for a period of at least five (5) years and be available for examination by an authorised person.
G1-10	Telephone the **administering authority's** Pollution Hotline or local office as soon as practicable after becoming aware of any emergency, incident or information about circumstances which result or may result in environmental harm not in accordance with the conditions of this Environmental Authority.
G1-11	Reasonable actions are to be taken to minimise environmental harm, or potential environmental harm resulting from any emergency, incident or circumstances not in accordance with this Environmental Authority.
G1-12	A written notice detailing the following information must be provided to the **administering authority** within fourteen (14) days of any advice provided in accordance with condition G1-10: 1. The name of the operator, including their approval and registration number; and 2. the name and telephone number of a designated contact person; and 3. quantity and substance released; and 4. vehicle and registration details; and 5. person/s involved (driver and any others); and 6. the location and time of the release; and 7. the suspected cause of the release; and 8. a description of the effects of the release; and 9. the results of any sampling performed in relation to the release; and 10. actions taken to mitigate any environmental harm caused by the release; and 11. proposed actions to prevent a recurrence of the release.
G1-13	A competent person(s) must conduct any monitoring required by this approval.
G1-14	All instruments, equipment and measuring devices used for the measuring or monitoring in accordance with any condition of this Environmental Authority must be calibrated, appropriately operated and maintained.
G1-15	An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes associated with the ERA, must be kept safe at the site.
G1-16	Anyone operating under this approval must be trained in the use of the spill kit.

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G1-17	The operator of the ERA must record the following details for all complaints received and provide this information to the **administering authority** on request: 1. time, date name and contact details of the complainant; and 2. Reasons for the complaint; and 3. any investigations undertaken; and 4. conclusions formed; and 5. any actions taken.
Agency interest: Air	
Condition number	**Condition**
A1-1	The release of noxious or offensive odours or any other noxious or offensive airborne contaminant(s) resulting from the activity must not cause a nuisance at any **sensitive place**.
A1-2	When requested by the **administering authority**, odour monitoring must be undertaken within a reasonable and practicable timeframe nominated by the **administering authority** to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer) of environmental nuisance at any **sensitive** or **commercial place**, and the results must be notified within fourteen (14) days to the **administering authority** following completion of monitoring.
A1-3	If the **administering authorit**y determines the odour released to constitute an environmental nuisance, then the Environmental Authority holder must: 1. address the complaint including the use of appropriate dispute resolution if required; and 2. immediately implement odour abatement measures so that emissions of odour from the activity do not result in further environmental nuisance.
A1-4	The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any **sensitive place**.
A1-5	When requested by the **administering authority**, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within fourteen (14) days to the **administering authority** following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected **sensitive place** and at upwind control sites and must include: 1. for a complaint alleging dust nuisance, dust deposition; and 2. for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24 hour averaging time.

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A1-6	Dust and particulate matter must not exceed the following levels when measured at any **sensitive place** or **commercial place**: 1. Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with *Australian Standard AS 3580.10 of 2003* (or more recent editions); and 2. 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, at a **sensitive** or commercial place downwind of the site, when monitored in accordance with: i. Australian Standard AS 3580.9.6 of 2003 (or more recent editions); Ambient air - Particulate matter - Determination of suspended particulate PM_{10} high-volume sampler with size-selective inlet - Gravimetric method; or ii. any alternative method of monitoring PM_{10} which may be permitted by the *Air Quality Sampling Manual* as published from time to time by the **administering authority**.
A1-7	If monitoring indicates exceedance of the relevant limits in condition A1-6, then the Environmental Authority holder must: 1. address the complaint including the use of appropriate dispute resolution if required; and 2. immediately implement dust abatement measures so that emissions of dust from the activity do not result in further environmental nuisance.
Agency interest: Water	
Condition number	**Condition**
WT1-1	The holder of this Environmental Authority is not permitted to release contaminants to **waters**, bed and banks of any **waters**, the roadside gutter, or stormwater drain.
WT1-2	Suitable banks, structures and/or diversion drains must be installed and maintained to exclude stormwater runoff from entering any structures used for the storage of contaminants or wastes.
Agency interest: Noise	
Condition number	**Condition**
N1-1	Noise from **activities** must not cause an **environmental nuisance** at any **sensitive place** or any **commercial place.**
N1-2	All noise from activities must not exceed the levels specified in Table 1 at any **sensitive place** or any **commercial place.**

<table>
<tr><td>N1-3</td><td>In the event of a complaint about noise that constitutes annoyance being made to the administering authority, that the administering authority considers is not frivolous or vexatious, then the emission of noise from the site must not result in levels greater than those specified in Table 1.
Table 1
<table>
<tr><th>Noise level at a 'Noise sensitive place' measured as the Adjusted Maximum Sound Pressure Level $L_{A, max\ adj\ T.}$ Note 1</th><th>Time Period</th></tr>
<tr><td>Background noise level plus 5 dB(A)</td><td>7am -10pm</td></tr>
<tr><td>Background noise level plus 3 dB(A)</td><td>10pm - 7am</td></tr>
<tr><th>Noise level at a 'Commercial place' measured as the Adjusted Maximum Sound Pressure Level $L_{A, max\ adj\ T}$</th><th>Time Period</th></tr>
<tr><td>Background noise level plus 10 dB(A)</td><td>7am -10pm</td></tr>
<tr><td>Background noise level plus 8 dB(A)</td><td>10pm - 7am</td></tr>
</table>
Note 1: $L_{A10\ adj\ 15\ mins}$ levels may be substituted for $L_{Amax\ adj\ 15\ mins}$ levels if evidence is provided that $L_{A10\ adj\ 15\ mins}$ levels are representative of component noise levels form source(s)/premises under investigation.</td></tr>
<tr><td>N1-4</td><td>When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within fourteen (14) days to the administering authority. Monitoring must include:
1. background noise; and
2. $L_{A, max\ adj, T}$ or where established as being appropriate $L_{A\ 10\ adj.15\ mins}$;and
3. the level and frequency of occurrence of impulsive or tonal noise; and
4. atmospheric conditions including wind speed and direction; and
5. effects due to extraneous factors such as traffic noise; and
6. location, date and time of recording.</td></tr>
<tr><td>N1-5</td><td>The method of measurement and reporting of noise levels must comply with the latest edition of the Noise Measurement Manual published by the administering authority.</td></tr>
<tr><td colspan="2">Agency interest: Waste</td></tr>
<tr><td>Condition number</td><td>Condition</td></tr>
<tr><td>W1-1</td><td>Waste must not be released to the environment, stored, transferred or disposed of contrary to any conditions of this approval.</td></tr>
<tr><td>W1-2</td><td>The only waste to be accepted at the regulated waste storage facility authorised place is mechanical and or engine of Local Government vehicles and that collected from the general public.</td></tr>
</table>

W1-3	In the event that you become aware of prohibited wastes being commingled in the waste stream you must: 1. cease the depositing of such waste if depositing of such waste is occurring; and 2. remove the prohibited waste and store in a proper and efficient manner; and 3. notify the person who sent the prohibited waste to the site of the detection of prohibited waste in the waste received; and 4. as soon as practicable arrange for a person who can lawfully transport such waste to collect such waste; and 5. arrange for the person transporting the prohibited waste to transport such waste to a facility that can lawfully accept such waste; and 6. produce the following records: (a) type of prohibited waste; and (b) quantity of prohibited waste; and (c) date of disposal; and (d) name and address of the person(s) transporting the prohibited waste to the facility; and (e) name and address of the person(s) who generated the prohibited waste (if such person(s) can be reasonably identified). Note: For the purpose of this condition, "prohibited waste" means a waste (including a proportion of waste) which is not permitted to be accepted at the facility by a condition of this approval.
W1-4	All **regulated waste** removed from the site must be removed by a person who holds a current approval to transport such waste under the *Environmental Protection Act 1994.*
W1-5	A record of all **regulated waste** materials generated and removed from the site must be kept detailing the following information: 1. date of pickup of waste; and 2. description of waste; and 3. quantity of waste; and 4. origin of the waste; and 5. destination of the waste Note: Trackable wastes as listed in Schedule 1 of the Environmental Protection Waste Management Regulation 2000 are not covered by this condition. Trackable wastes have similar recording requirements to this condition in accordance with a waste tracking system under the above regulation.
W1-6	**Records** required to be kept in relation to **regulated waste** must be kept for a period of at least five (5) years.
Agency interest: Land	
Condition number	**Condition**

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L1-1	No contaminants are permitted to be released to land.
L1-2	All chemicals and flammable or combustible liquids stored on the site that have the potential to cause environmental harm must be stored in or serviced by an effective containment system that is impervious to the materials stored and managed to prevent the release of liquids to **waters** or land. Where no relevant Australian Standard is available, the following must be applied: 1. storage tanks must be bunded so that the capacity and construction of the bund is sufficient to contain at least 110% of a single storage tank or 100% of the largest storage tank plus 10% of the second largest storage tank in multiple storage areas; and 2. drum storages must be bunded so that the capacity and construction of the bund is sufficient to contain at least 25% of the maximum design storage volume within the bund.
L1-3	An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes, chemicals and flammable and combustible liquids associated with the activity must be kept at the site.
L1-4	Anyone operating under this Environmental Authority with wastes, chemicals or flammable and combustible liquids must be trained in the use of the spill kit.
L1-5	On-site containment system for the storage of flammable and combustible liquids and chemicals must have a risk assessment procedure in place as part of the Site Based Management Plan.

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Schedule 2

Environmentally relevant activity	Location
60-(1a) Waste disposal <50000t yr	Landsborough Highway, CORFIELD QLD (Northwest of Winton Township) – Lot 9 SP175991.

The environmentally relevant activity 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**
G2-1	In carrying out the environmentally relevant activities, the registered operator must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, may cause environmental harm, in a manner that could be prevented, shall be carried out in a proper manner by a competent person in accordance with the conditions of this Environmental Authority.
G2- 2	The registered operator must: 1. install and operate all works and control equipment, and 2. install all measures, perform all acts and do all things necessary to ensure compliance with conditions of this Environmental Authority.
G2- 3	A copy of this Environmental Authority must be kept in a location readily accessible to personnel carrying out the activity.
G2- 4	Any record or document required to be kept by a condition of this Environmental Authority must be kept at the licensed place for a period of at least five (5) years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly **records** are kept for a period of at least three (3) years and these **records** are then kept in the form of annual summaries after that period.
G2- 5	No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this Environmental Authority.
G2-6	All instruments and devices used for the measurement or monitoring of any parameter under any condition of this Environmental Authority must be calibrated, and appropriately operated and maintained.

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G2- 7	The registered operator must: 1. develop and implement an IEMS which provides for the following functions: i. the monitoring of releases of contaminants into the environment and an environmental assessment of the releases; ii. staff training and awareness of environmental issues; iii. the conduct of environmental and energy audits; iv. waste prevention, treatment and disposal 2. lodge with the administering authority at half yearly intervals from the date of issue of the Environmental Authority until the third annual return, a brief report describing the progress in developing and implementing the IEMS. 3. have completed and implemented the IEMS by 30 August 2000; and 4. lodge a detailed description of the IEMS and it documentation with the **administering authority** for its review and comment by 30 June 2000; and 5. have due regard to that comment in the finalisation of the IEMS.
G2- 8	A copy of the IEMS must be kept at the licenced place where practical.
G2- 9	All complaints received by the registered operator relating to the release of contaminants from operations at the licensed place must be recorded and kept with the following details: 1. time, date, name and nature of complaint; and 2. type of communication (telephone, letter, personal etc.); and 3. name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then “Not identified” is to be recorded); and 4. response and investigations undertaken as a result of the complaint; and 5. name of person responsible for investigating complaint; and 6. action taken as a result of the complaint investigation and signature of responsible person.

<table>
<tr><th colspan="2">Agency interest: Noise</th></tr>
<tr><th>Condition number</th><th>Condition</th></tr>
<tr><td>N2- 1</td><td>In the event of a complaint about noise that the administering authority considers is reasonable, then the emission of noise from the activity must not result in levels greater than those specified in Table 1, until the circumstances which gave rise to the complaint are resolved.

Table 1
<table>
<tr><th>Noise level at a Noise sensitive place measured as the Adjusted Maximum Sound Pressure Level $L_{A, max\ adj\ T}$</th><th>Period</th></tr>
<tr><td>Background noise level plus 5 dB(A)</td><td>7am -10pm</td></tr>
<tr><td>Background noise level plus 3 dB(A)</td><td>10pm - 7am</td></tr>
<tr><th>Noise limits at a Commercial place measured as the Adjusted Maximum Sound Pressure Level $L_{A, max\ adj\ T}$</th><th>Period</th></tr>
<tr><td>Background noise level plus 10 dB(A)</td><td>7am -10pm</td></tr>
<tr><td>Background noise level plus 8 dB(A)</td><td>10pm - 7am</td></tr>
</table></td></tr>
<tr><th colspan="2">Agency interest: Waste</th></tr>
<tr><th>Condition number</th><th>Condition</th></tr>
<tr><td>W2- 1</td><td>The registered operator must not:
1. allow waste to burn or be burned at or on the licensed place; nor
2. remove waste from the licensed place and burn waste elsewhere.</td></tr>
<tr><td>W2- 2</td><td>Where regulated waste is removed from the licensed place (other than by release as permitted under another schedule of this Environmental Authority), the registered operator must monitor and keep records of the following;
1. the date, quantity and type of waste removed; and
2. name of the waste transporter and/or disposal operator that removed the waste; and
3. the intended treatment /disposal destination of the waste.</td></tr>
</table>

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Schedule 3

Environmentally relevant activity	Location
63-(1b)(ii) Sewage treatment >100 to 1500EP - no IT or IR	Northwest of Winton Township – Lot 102 AE97.

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

Agenc[illegible]nterest: General	
Condition number	**Condition**
G3- 1	In carrying out the environmentally relevant activity, the registered operator must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, may cause environmental harm, in a manner that could be prevented, shall be carried out in a proper manner by a competent person in accordance with the conditions of this Environmental Authority.
G3- 2	The registered operator must: 1. install and operate all works and control equipment, and 2. take all measures, perform all acts and do all things, necessary to ensure compliance with the conditions of this Environmental Authority.
G3- 3	A copy of this Environmental Authority must be kept in a location readily accessible to personnel carrying out the activity.
G3- 4	Any record or document required to be kept by a condition of this Environmental Authority must be kept at the licensed place for a period of at least five (5) years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly **records** are kept for a period of at three (3) years and these **records** are then kept in the form of annual summaries after that period.
G3- 5	No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this Environmental Authority.
G3- 6	All instruments and devices used for the measurement or monitoring of any parameter under any condition of this Environmental Authority must be calibrated, and appropriately operated and maintained.

G3- 7	The registered operator must: 1. develop and implement an IEMS which provides the following functions: i. the monitoring of releases of contaminants into the environment and an environmental assessment of the releases; and ii. staff training and awareness of environmental issues; and iii. the conduct of environmental and energy audits; and waste prevention, treatment and disposal; 2. lodge with the administering authority at half yearly intervals from the date of issue of the Environmental Authority until the third annual return, a brief report describing the progress in developing and implementing the IEMS; 3. have completed and implemented the IEMS by 30 August 2000; 4. lodge a detailed description of the IEMS and its documentation with the administering authority for its review and comment by 30 June 2000; and 5. have due regard to that comment in the finalisation of the IEMS.
G3- 8	A copy of the IEMS must be kept at the licenced place where practical.
G3- 9	All complaints received by the registered operator relating to the release of contaminants from operations at the licensed place must be recorded and kept with the following details: 1. time, date, name and nature of complaint; and 2. type of communication (telephone, letter, personal etc); and 3. name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then “Not identified” is to be recorded); and 4. response and investigation undertaken as a result of the complaint; and 5. name of person responsible for investigation complaint; and 6. action taken as a result of the complaint investigation and signature of responsible person.
Agency interest: Water	
Condition number	**Condition**
WT3- 1	Contaminants must not be directly or indirectly released from the licensed place to any **waters** or the bed and banks of any **waters** except as permitted under the conditions of this Environmental Authority, or to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.
WT3- 2	The only contaminants permitted to be released from the licensed place at the release point W1 are sewage treatment effluents from the Winton Sewage Treatment Plant.

<table>
<tr><td>WT3- 3</td><td>Contaminants must not be directly or indirectly released from any source on the licenced place to any waters at any location other than the contaminants and sources at the locations listed below:

1. Release point W1 – Treated sewage effluent wastes from the Winton Sewage Treatment Plant to waters described as Pelican Waterhole.</td></tr>
<tr><td>WT3- 4</td><td>The total quantity of contaminants released from release point number W1 during any dry weather day must not exceed 350 cubic metres and during a wet weather day must not exceed 1750 cubic metres.</td></tr>
<tr><td>WT3- 5</td><td>The release of contaminants to waters must comply, at the sampling and in-situ measurement point specified in Table 2, condition WT3 - 6 with each of the limits specified in Table 1 for each quality characteristic.

Table 1 Release quality characteristic limits
<table>
<tr><th>QUALITY CHARACTERISTICS</th><th>RELEASE POINT NUMBER</th><th>RELEASE LIMIT</th><th>LIMIT TYPE</th></tr>
<tr><td>5-day Biochemical Oxygen Demand (mg/L)</td><td>W1</td><td>60</td><td>maximum</td></tr>
<tr><td>Suspended Solids (mg/L)</td><td>W1</td><td>90</td><td>maximum</td></tr>
<tr><td>pH (pH Units)</td><td>W1</td><td>6.5-8.5</td><td>range</td></tr>
<tr><td>Faecal Coliforms (organisms/100ml)</td><td>W1</td><td>4000</td><td>maximum</td></tr>
<tr><td>Dissolved Oxygen (mg/L)</td><td>W1</td><td>2</td><td>minimum</td></tr>
</table></td></tr>
</table>

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<table>
<tr><td>WT3- 6</td><td>The registered operator is responsible for the making of determinations and keeping of records of the quality of the contaminants released for the release points, quality characteristics, and at the frequency specified in Table 2:
Table 2
<table>
<tr><th>QUALITY CHARACTERISTICS
DETERMINATION</th><th>RELEASE POINTS</th><th>FREQUENCY</th></tr>
<tr><td>5-day Biochemical Oxygen Demand (mg/L)</td><td>S1</td><td>quarterly</td></tr>
<tr><td>Suspended Solids (mg/L)</td><td>S1</td><td>quarterly</td></tr>
<tr><td>pH (pH Units)</td><td>S1</td><td>quarterly</td></tr>
<tr><td>Faecal Coliforms (organisms/100ml)</td><td>S1</td><td>quarterly</td></tr>
<tr><td>Dissolved Oxygen (mg/L)</td><td>S1</td><td>quarterly</td></tr>
</table></td></tr>
<tr><td>WT3- 7</td><td>Determinations of the quality of contaminants released to waters to check conformity with the release quality characteristics specified in the conditions of this Environmental Authority must be undertaken at the sampling and measurement point described as:
1. Release Point S1- the point described as the outflow from the aerobic treatment ponds to Pelican Waterhole.</td></tr>
<tr><td>WT3- 8</td><td>All determinations of the quality of contaminants released to waters must be made in accordance with methods prescribed in the Water Quality Sampling Manual.</td></tr>
<tr><td>WT3- 9</td><td>All determinations of the quality of contaminants must be performed by a person or body possessing appropriate experience and qualifications to perform the required measurements.</td></tr>
<tr><td>WT3- 10</td><td>The daily quantity of contaminants released must be determined by a flow meter.</td></tr>
<tr><td>WT3- 11</td><td>Records must be kept of the results of all determinations of the daily quantity of contaminants released to waters.</td></tr>
</table>

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<table>
<tr><th colspan="2">Agency interest: Noise</th></tr>
<tr><th>Condition number</th><th>Condition</th></tr>
<tr><td>N3- 1</td><td>In the event of a complaint about noise that the administering authority considers is reasonable, then the emission of noise from the activity must not result in levels greater than those specified in Table 1, until the circumstances which gave rise to the complaint are resolved.

Table 1
<table>
<tr><th>Noise level at a Noise sensitive place measured as the Adjusted Maximum Sound Pressure Level $L_{A, max\ adj\ T}$</th><th>Time Period</th></tr>
<tr><td>Background noise level plus 5 dB(A)</td><td>7am -10pm</td></tr>
<tr><td>Background noise level plus 3 dB(A)</td><td>10pm - 7am</td></tr>
<tr><th>Noise limits at a Commercial place measured as the Adjusted Maximum Sound Pressure Level $L_{A, max\ adj\ T}$</th><th>Period</th></tr>
<tr><td>Background noise level plus 10 dB(A)</td><td>7am -10pm</td></tr>
<tr><td>Background noise level plus 8 dB(A),</td><td>10pm - 7am</td></tr>
</table></td></tr>
<tr><th colspan="2">Agency interest: Land Application</th></tr>
<tr><th>Condition number</th><th>Condition</th></tr>
<tr><td>L3- 1</td><td>The defined contaminant release area is described as recreation area XXXII, R.49 marked on Town of Winton, parish of Winton, County of Ayrshire Map.</td></tr>
<tr><td>L3- 2</td><td>A minimum of 6 hectares of land must be provided for the contaminant release area.</td></tr>
<tr><td>L3- 3</td><td>The quantity of contaminants released to the release area during any day must not exceed 350 cubic metres.</td></tr>
<tr><td>L3- 4</td><td>The contaminants released must comply, at the sampling and in-situ measurement point specified in Table 1 for each quality characteristic.</td></tr>
<tr><td>L3- 5</td><td>When weather conditions or soil conditions preclude the release of contaminants, the contaminants must be directed to wet weather storage or released at release point W1.</td></tr>
</table>

Queensland Government

Agency interest: Waste Management	
Condition number	**Condition**
W3- 1	The registered operator must not: 1. allow waste to burn or be burned at or on the licensed place; nor 2. remove waste from the licensed place and burn such waste elsewhere.
W3- 2	Where **regulated waste** is removed from the licensed place (other than by a release as permitted under another schedule of this Environmental Authority), the registered operator must monitor and keep **records** of the following: 1. the date, quantity and type of waste removed; and 2. name of the waste transporter and/or disposal operator that removed the waste; and 3. the intended treatment/disposal destination of the waste.

Part 2: Standard Conditions

With the exception of any variations, the conditions of approval for this environmental authority include standard conditions contained within the attached document(s) entitled:

- Eligibility criteria and standard conditions for extracting material (ERA 16) – ESR/2015/1711, Version 2.
- Eligibility criteria and standard conditions for screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16) – ESR/2015/1711, Version 2.

The environmentally relevant activities conducted at the locations as described in **Table 1** must be conducted in accordance with the eligibility criteria and standard conditions contained within the above documents.

Table 1: Sites covered by the standard conditions

Environmentally relevant activity	LOT/PLAN
16-(2a) Extractive >5000t but <100000t yr 16-(3a) Screening >5000t but <100000t yr	Lot 3 Plan WM50
	Lot 4721 Plan SP268651
	Lot 4 Plan KN42
	Lot 4 Plan WDK25
	Lot 5 Plan WDK32
	Lot 3 Plan EL18
	Lot 5 Plan FM13
	Lot 6 Plan EL40
	Adjacent to Lot 1 Plan BT13
	Adjacent to Lot 2 Plan BT9
	Adjacent to Lot 1 Plan SP136844
	Adjacent to Lot 1835 Plan EL54
	Adjacent to Lot 3 Plan EL12
	Adjacent to Lot 3 Plan FM14
	Adjacent to Lot 100 Plan SP249562
	Lot 351 Plan SP276167
	Lot 2 Plan BT9
	Lot 3698 Plan PH47
	Lot 1835 Plan EL54
	Lot 5100 Plan PH425
	Lot 3 Plan FM12

Queensland Government

	Lot 1 Plan RK4
	Lot 350 Plan SP276167
	Lot 2148 Plan SP262009
	Lot 1 Plan AE141
	Lot 2 Plan SP204936
	Lot 4720 Plan PH1866
	Lot 5278 Plan SP271691

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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.

"administering authority" means the Department of Environment and Science or its successor.

"approval" means Environmental Authority under The *Environment Protection Act 1994.*

"authorised place" means the place authorised under this Environmental Authority for the carrying out of the specified environmentally relevant activities.
intended to be connected, to tidal water; and from which boating access to the tidal water is not hindered by a lock, weir or similar structure.

"commercial place" means a place used as an office or for business or commercial purposes.

"dwelling" means any of the following structures or vehicles that is principally used as a residence –

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- a water craft in a marina.

"$L_{A\ 10,\ adj,\ 10\ mins}$" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.

"$L_{A\ 1,\ adj,\ 10\ mins}$" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period, using Fast response.

"$L_{A,\ max\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

"land" in the "land schedule" of this document means land excluding waters and the atmosphere.

"mg/L" means milligrams per litre.

“maximum” means that the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

"noxious" means harmful or injurious to health or physical well-being.

"NTU" means nephelometric turbidity units.

"offensive" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

"ponded pasture" means a permanent or periodic pondage of water in which the dominant plant species are pasture species used for grazing or harvesting.

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"protected area" means –

- a protected area under the *Nature Conservation Act 1992*; or
- a marine park under the *Marine Parks Act 1992*; or
- a World Heritage Area.

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

"regulated waste" means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 2019* (whether or not it has been treated or immobilised), and includes -

- for an element - any chemical compound containing the element; and
- anything that has contained the waste.

"sensitive place" includes –

- 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 2004*, the *Marine Parks Act 1992* or a World Heritage Area; or
- a public thoroughfare, park or gardens; or
- a place within the curtilage of such a place reasonably used by persons at that place.
- For noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019.

"site" means the place to which this Environmental Authority relates or the premises to which this Environmental Authority relates.

"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.

"50th percentile" means not more than three (3) of the measured values of the quality characteristic are to exceed the stated release limit for any six (6) consecutive samples for a release/monitoring point at any time during the environmental activity(ies) works.

"80th percentile" means not more than one (1) of the measured values of the quality characteristic is to exceed the stated release limit for any five (5) consecutive samples for a sampling point at any time during the environmental activity(ies) works

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Attachments:

- Eligibility criteria and standard conditions for extracting material (ERA 16) - ESR/2015/1711, Version 2

- Eligibility criteria and standard conditions for screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16) - ESR/2015/1711, Version 2

Eligibility criteria and standard conditions for extracting material (ERA 16) – Version 2

This document provides eligibility criteria and standard conditions for Environmentally Relevant Activity (ERA) 16 - Extractive and screening activities at threshold 2a - extracting 5000 tonnes to 100,000 tonnes of material in a year.

Eligibility criteria

Eligibility criteria are constraints set to ensure environmental risks associated with the operation of the ERA are able to be managed by the standard conditions. Eligibility criteria set out the circumstances in which a standard or variation application for an environmental authority can be made.

Standard conditions

Standard conditions are the minimum operating requirements an environmental authority holder must comply with.

Standard applications

If an applicant can meet all of the eligibility criteria and standard conditions, then they can make a standard application. Applicants are required to complete a 'Standard application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Variation applications

If an applicant can meet all of the eligibility criteria but needs to vary one or more of the standard conditions to suit their operational needs, then they can make a variation application. Applicants are required to complete a 'Variation application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Site specific applications

Applicants who cannot meet the eligibility criteria must make a site specific application. Applicants are required to complete a 'Site specific application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Amendment applications

If the holder of an environmental authority needs to amend a standard condition in the issued environmental authority, then the holder must submit an 'Amendment application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Definitions

Some terms used in this document are defined in Appendix 1.

Version history

Version	Date	Description of changes
1	6 December 2013	Eligibility criteria and standard conditions take effect
2	30 September 2015	Updated for repeal of wild river provisions (as allowed in section 715C of the *Environmental Protection Act 1994*) and version history added
2	15 August 2016	Added publication number ESR/2015/1711

ABN 46 640 294 485

Eligibility criteria

Eligibility criteria category	Eligibility criteria
Activity description	The quantity of material extracted does not exceed 100,000 tonnes per year.
Activity location	The facility is not within 1000 metres of: • a dwelling, residential allotment, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises • a kindergarten, school, university, library, childcare centre or other educational institution • a medical centre or hospital • a protected area under the *Nature Conservation Act 1992* • a public park or gardens unless the facility is only for the extraction of material for the construction or maintenance of rail transport infrastructure and roads and those residing at any of the above places, or the landowner where there are no residents, have agreed in writing to the facility.
	The facility is not in any category A or B environmentally sensitive area.
	The facility is not in a designated precinct in a strategic environmental area as defined in the Regional Planning Interests Regulation 2014 or regional plan.
	The facility is not within 100 metres of any watercourse, wetland or spring.
	The maximum area of extraction workings is 5.0 hectares.
Activity operations	The combustion of fuel, other than natural gases, does not exceed 500 kilograms per hour.
Water	There is no release of aqueous waste from the activity to waters.
Groundwater	The activity will not impact on the level of groundwater or on groundwater quality at or adjacent to the location where it is conducted.

Standard conditions

Conditions
General
G1: All reasonable steps must be taken to ensure the activity complies with the eligibility criteria.
G2: The activity must be undertaken in accordance with written procedures that: • identify potential risks to the environment from the activity during routine operations and emergencies • establish control measures that minimise the potential for environmental harm • ensure plant and equipment is maintained and operated in proper and effective condition • ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994* • ensure that reviews of environmental performance are undertaken at least annually.
G3: The activity must not cause environmental nuisance at a nuisance sensitive place.
G4: The activity must not cause the release of dust or particulates that cause environmental nuisance beyond the boundary of the site.
G5: Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.
Land
L1: Contaminants from the activity must not be released to land.
L2: As soon as practicable after completion of operational work land disturbed by the activity must be rehabilitated to achieve the following: 1. the land is safe for humans and fauna 2. the land has no subsidence or erosion gullies following completion of the rehabilitation 3. there is no ongoing contamination to waters 4. the maintenance requirements for the land are no greater than for the land before it was disturbed.
L3: Acid sulphate soils, acid-producing rock and marine sediments must not be processed.
Noise and Vibration
N1: The activity must not cause audible noise (a) on a business day or Saturday, before 7am or after 7pm (b) on any other day, before 8am or after 7pm at any of the following places: • a dwelling, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises • a kindergarten, school, university, library, childcare centre or other educational institution • a medical centre or hospital.
N2: Blasting operations must comply with the following: 1. a blast management plan must be developed for each blasting activity in accordance with Australian Standard 2187 2. the airblast overpressure is less than 115dB Z Peak for 4 out of any 5 consecutive blasts

3. the airblast overpressure is less than 120dB Z Peak for all blasts 4. the ground vibration is not: (i) for vibrations of more than 35Hz—more than 25 millimetres (mm) a second ground vibration, peak particle velocity (ii) for vibrations of no more than 35Hz—more than 10mm a second ground vibration, peak particle velocity.
Water
W1: Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.
W2: Ponds used for the storage or treatment of aqueous waste must be constructed, installed and maintained to: • prevent any release of aqueous waste from the ponds • ensure the stability of the pond structure.
W3: Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
W4: The stormwater runoff from the facility generated by a 24 hour storm event with an average recurrence interval of one in five years must be retained on site and treated to remove contaminants before release.
Waste
R1: All waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite.

Appendix 1: Terms and definitions

Term	Definition
Activity	the environmentally relevant activity to which this environmental authority relates. An activity may be undertaken on the whole or a part of a site.
Aqueous waste	any aqueous waste including process water, water that has otherwise been used in the carrying out of the activity or sewage, whether or not the waste has been treated, but excluding stormwater and water used for dust suppression that has been treated to remove contaminants.
Audible noise	means noise that can be clearly heard by an individual who is an occupier at a place listed in condition N1.
Australian Standard 2187	Australian Standard AS 2187.2- 2006 Explosives – Storage, transport and use – use of explosives.
Category A or B environmentally sensitive area	as defined in Schedule 12, Part 1 of the Environmental Protection Regulation 2008.
Chemical	as defined in Schedule 12, Part 2 of the Environmental Protection Regulation 2008.
Combustion of fuel	does not include fuel used in explosives or by vehicles.
Contaminant(s)	as defined in Section 11 of the *Environmental Protection Act 1994.*
Environmental harm	as defined in Section 14 of the *Environmental Protection Act 1994.*
Environmental nuisance	as defined in Section 15 of the *Environmental Protection Act 1994.*
Extraction workings	extraction workings means an area from which quarry material or overburden has been extracted, or on which product or waste rock is stored and that has not been rehabilitated in accordance with condition L2
Facility	the area used for carrying out the ERA including any buildings, disturbed areas or any associated infrastructure.
Land	land excluding waters and the atmosphere. Land includes land on the authorised place.
Maintenance	as defined in Schedule 6 of the *Transport Infrastructure Act 1994.*
Minimise	minimise by taking all reasonable and practical measures to minimise the adverse effect having regard to the following matters: (a) the nature of the harm or potential harm (b) the sensitivity of the receiving environment (c) the current state of technical knowledge for the activity (d) the likelihood of successful application of different measures that might be taken to minimise the adverse effects (e) the financial implications of the different measures as they would relate to the type of activity (f) if the adverse effect is caused by the location of the activity being carried out, whether it is feasible to carry out the activity at another location.
Nuisance sensitive place	nuisance sensitive place includes: • within or outside of a dwelling, residential allotment, mobile home or caravan park,

	residential marina or other residential premises • within or outside of a motel, hotel or hostel • within or outside of a kindergarten, school, university or other educational institution • within or outside of a medical centre or hospital • within a protected area under the *Nature Conservation Act 1992*, within a marine park under the *Marine Parks Act 1992* or a world heritage area • within a public thoroughfare, park or gardens • within or outside of 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.
Rail transport infrastructure	as defined in Schedule 6 of the *Transport Infrastructure Act 1994*.
Road	as defined in section 93 of the *Land Act 1994*
Spring	the land to which water rises naturally from below the ground and the land over which the water then flows.
Waters	all or any part of a creek, river, stream, lake, lagoon, swamp, wetland, spring, unconfined surface water, unconfined water in natural or artificial watercourses, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and underground water.
Watercourse	as defined in Section 8, Schedule 12 of the Environmental Protection Regulation 2008.
Wetland	as defined in Schedule 12 of the Environmental Protection Regulation 2008, means an area shown as a wetland on the map of referable wetlands.

Appendix 2: General obligations for environmental authority holders

This appendix is not intended to provide a comprehensive assessment of all obligations under Queensland law. It provides some general information and holders are encouraged to familiarise themselves with all requirements related to their specific operation.

Responsibilities under the *Environmental Protection Act 1994*

Separate to the requirements of the standard conditions, the holder of the environmental authority must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act. For example, the holder must be aware of the following provisions of the *Environmental Protection Act 1994* which may apply unless the environmental harm is authorised by the conditions of the environmental authority.

General environmental duty

Section 319 of the *Environmental Protection Act 1994* states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonable and practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to consider:

- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

It is not an offence not to comply with the general environmental duty. However, maintaining your general environmental duty is a defence against the following acts:

(a) an act that causes serious or material environmental harm or an environmental nuisance

(b) an act that contravenes a noise standard

(c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG.

More information is available on the Department of Environment and Heritage Protection website www.ehp.qld.gov.au.

Duty to notify

Section 320 of the *Environmental Protection Act 1994* explains the duty to notify. The duty to notify applies to all persons and requires a person or company to give notice where serious or material environmental harm is caused or threatened. Notice must be given of the event, its nature and the circumstances in which the event happened. Notification can be verbal, written or by public notice depending on who is notifying and being notified.

The duty to notify arises where:

- a person carries out activities or becomes aware of an act of another person arising from or connected to those activities which causes or threatens serious or material environmental harm
- while carrying out activities a person becomes aware of the happening of one or both of the following events:
  - the activity negatively affects (or is reasonably likely to negatively affect) the water quality of an aquifer
  - the activity has caused the unauthorised connection of 2 or more aquifers.

For more information on the duty to notify requirements refer to the guideline 'Duty to notify of environmental harm' (EM467).

Some relevant offences under the *Environmental Protection Act 1994*

Non-compliance with a condition of an environmental authority (section 430)

Section 430 of the *Environmental Protection Act 1994* requires that a person who is the holder of, or is acting under, an environmental authority must not wilfully contravene, or contravene a condition of the authority.

Environmental authority holder responsible for ensuring conditions complied with (section 431)

Section 431 of the *Environmental Protection Act 1994* requires that the holder of an environmental authority must ensure everyone acting under the authority complies with the conditions of the authority. If another person acting under the authority commits an offence against section 430, the holder also commits an offence, namely, the offence of failing to ensure the other person complies with the conditions.

Causing serious or material environmental harm (sections 437–39)

Material environmental harm is when the harm is not trivial or negligible in nature. Serious environmental harm is harm that is irreversible, of a high impact or widespread, or that is caused to an area of high conservation value or special significance. Damages, or costs required to rehabilitate the environment, of over $5000 also constitute serious environmental harm.

Serious or material environmental harm excludes environmental nuisance.

Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the *Environmental Protection Act 1994*.

It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

Placing a contaminant where environmental harm or nuisance may be caused (section 443)

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

Some of the relevant offences under the *Waste Reduction and Recycling Act* 2011

Littering (section 103)

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 litres or more) at a place. Illegal dumping can also include abandoned vehicles.

Relevant offence under the Environment Protection (Waste Management) Regulation 2000

Trackable waste to be given only to licensed transporter (section 41)

A generator of trackable waste must not give the waste to another person to transport it commercially, or in a load of more than 250 kilograms, in a vehicle unless the other person holds, or is acting under, the required authority for transporting the waste in the vehicle.

Responsibilities under other legislation

An environmental authority pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for the activity that might be required by other state and/or Commonwealth legislation. Other legislation for which a permit may be required includes but is not limited to the:

- *Aboriginal Cultural Heritage Act 2003*
- contaminated land provisions of the *Environmental Protection Act 1994*
- *Fisheries Act 1994*
- *Forestry Act 1959*
- *Nature Conservation Act 1992*
- *Petroleum and Gas (Production and Safety) Act 2004 / Petroleum Act 1923*
- *Queensland Heritage Act 1992*
- *Sustainable Planning Act 2009*
- *Water Supply (Safety and Reliability) Act 2008*
- *Water Act 2000.*

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.

Eligibility criteria and standard conditions for screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16) – Version 2

This document provides eligibility criteria and standard conditions for Environmentally Relevant Activity (ERA) 16 - Extractive and screening activities at threshold 3a - screening 5000 tonnes to 100,000 tonnes of material in a year.

Eligibility criteria

Eligibility criteria are constraints set to ensure environmental risks associated with the operation of the ERA are able to be managed by the standard conditions. Eligibility criteria set out the circumstances in which a standard or variation application for an environmental authority can be made.

Standard conditions

Standard conditions are the minimum operating requirements an environmental authority holder must comply with.

Standard applications

If an applicant can meet all of the eligibility criteria and standard conditions, then they can make a standard application. Applicants are required to complete a 'Standard application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

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Site specific applications

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Amendment applications

If the holder of an environmental authority needs to amend a standard condition in the issued environmental authority, then the holder must submit an 'Amendment application form'. The form can be downloaded from the Queensland Government's Business and Industry Portal at www.business.qld.gov.au/ea

Definitions

Some terms used in this document are defined in Appendix 1.

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2	30 September 2015	Updated for repeal of wild river provisions (as allowed in section 715C of the *Environmental Protection Act 1994*) and version history added
2	15 August 2016	Added publication number ESR/2015/1704

Queensland Government

Eligibility criteria

Eligibility criteria category	Eligibility criteria
Activity description	The quantity of material screened does not exceed 100,000 tonnes per year.
Activity location	The facility is not within 1000 metres of: • a dwelling, residential allotment, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises • a kindergarten, school, university, library, childcare centre or other educational institution • a medical centre or hospital • a protected area under the *Nature Conservation Act 1992* • a public park or gardens unless the facility is only for the screening of material for the construction or maintenance of rail transport infrastructure and roads and those residing at any of the above places, or the landowner where there are no residents, have agreed in writing to the facility.
	The facility is not carried out in any category A or B environmentally sensitive area.
	The facility is not within 100 metres of any watercourse, wetland or spring.
	The facility is not in a designated precinct in a strategic environmental area as defined in the Regional Planning Interests Regulation 2014 or regional plan.
Air	The combustion of fuel, other than natural gases, does not exceed 500 kilograms per hour.
Water	There is no release of aqueous waste from the activity to waters.

Standard conditions

Conditions
General
G1: All reasonable steps must be taken to ensure the activity complies with the eligibility criteria.
G2: The activity must be undertaken in accordance with written procedures that: • identify potential risks to the environment from the activity during routine operations and emergencies • establish control measures that minimise the potential for environmental harm • ensure plant and equipment is maintained and operated in proper and effective condition • ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994* • ensure that reviews of environmental performance are undertaken at least annually.
G3: The activity must not cause environmental nuisance at a nuisance sensitive place.
G4: The activity must not cause the release of dust or particulates that causes environmental nuisance beyond the boundary of the site.
G5: Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.
Noise
N1: The activity must not cause audible noise (a) on a business day or Saturday, before 7.00am or after 7.00pm; or (b) on any other day, before 8.00am or after 7.00pm at any of the following places: a dwelling, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises a kindergarten, school, university, library, childcare centre or other educational institution a medical centre or hospital.
Land
L1: Contaminants must not be released to land from the activity.
L2: Acid sulfate soils, acid producing rock and marine sediments must not be processed.
Water
W1: Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.
W2: Ponds used for the storage or treatment of aqueous waste must be constructed, installed and maintained to: • prevent any release of aqueous waste from the ponds • ensure the stability of the pond structure.
W3: Erosion and sediment control measures must be implemented and maintained to minimise erosion and the

release of sediment.
W4: The stormwater runoff from the facility generated by a 24 hour storm event with an average recurrence interval of one in five years must be retained on site and treated to remove contaminants before release.
Waste
R1: All waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite.

Appendix 1: Terms and definitions

Term	Definition
Activity	the environmentally relevant activity to which this environmental authority relates. An activity may be undertaken on the whole or a part of a site.
Aqueous waste	any aqueous waste including process water, water that has otherwise been used in the carrying out of the activity or sewage, whether or not the waste has been treated, but excluding stormwater and water used for dust suppression that has been treated to remove contaminants.
Audible noise	noise that can be clearly heard by an individual who is an occupier at a place listed in condition N1.
Category A or B environmentally sensitive area	as defined in Schedule 12, Part 1 of the Environmental Protection Regulation 2008.
Chemical	as defined in Schedule 12, Part 2 of the Environmental Protection Regulation 2008.
Contaminant(s)	as defined in Section 11 of the *Environmental Protection Act 1994.*
Combustion of fuel	does not include fuel used in explosives or by vehicles.
Environmental harm	as defined in Section 14 of the *Environmental Protection Act 1994.*
Environmental nuisance	as defined in Section 15 of the *Environmental Protection Act 1994.*
Facility	the area used for carrying out the ERA including any buildings, disturbed areas or any associated infrastructure.
Land	land excluding waters and the atmosphere. Land includes land on the authorised place.
Maintenance	as defined in Schedule 6 of the *Transport Infrastructure Act 1994.*
Minimise	minimise by taking all reasonable and practical measures to minimise the adverse effect having regard to the following matters: (a) the nature of the harm or potential harm (b) the sensitivity of the receiving environment (c) the current state of technical knowledge for the activity (d) the likelihood of successful application of different measures that might be taken to minimise the adverse effects (e) the financial implications of the different measures as they would relate to the type of activity (f) if the adverse effect is caused by the location of the activity being carried out, whether it is feasible to carry out the activity at another location.
Nuisance sensitive place	nuisance sensitive place includes: • within or outside of a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises

	• within or outside of a motel, hotel or hostel • within or outside of a kindergarten, school, university or other educational institution • within or outside of a medical centre or hospital • within a protected area under the *Nature Conservation Act 1992*, within a marine park under the *Marine Parks Act 1992* or a world heritage area • within a public thoroughfare, park or gardens • within or outside of 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.
Rail transport infrastructure	as defined in Schedule 6 of the *Transport Infrastructure Act 1994*.
Road	as defined in section 93 of the Land Act 1994
Spring	the land to which water rises naturally from below the ground and the land over which the water then flows.
Waters	all or any part of a creek, river, stream, lake, lagoon, swamp, wetland, spring, unconfined surface water, unconfined water in natural or artificial watercourses, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and underground water.
Watercourse	as defined in Section 8, Schedule 12 of the Environmental Protection Regulation 2008.
Wetland	as defined in Schedule 12 of the Environmental Protection Regulation 2008, means an area shown as a wetland on the map of referable wetlands.

Appendix 2: General obligations for environmental authority holders

This appendix is not intended to provide a comprehensive assessment of all obligations under Queensland law. It provides some general information and holders are encouraged to familiarise themselves with all requirements related to their specific operation.

Responsibilities under the *Environmental Protection Act 1994*

Separate to the requirements of the standard conditions, the holder of the environmental authority must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act. For example, the holder must be aware of the following provisions of the *Environmental Protection Act 1994* which may apply unless the environmental harm is authorised by the conditions of the environmental authority.

General environmental duty

Section 319 of the *Environmental Protection Act 1994* states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonable and practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to consider:

- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

It is not an offence not to comply with the general environmental duty. However, maintaining your general environmental duty is a defence against the following acts:

(a) an act that causes serious or material environmental harm or an environmental nuisance

(b) an act that contravenes a noise standard

(c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG.

More information is available on the Department of Environment and Heritage Protection (EHP) website www.ehp.qld.gov.au.

Duty to notify

Section 320 of the *Environmental Protection Act 1994* explains the duty to notify. The duty to notify applies to all persons and requires a person or company to give notice where serious or material environmental harm is caused or threatened. Notice must be given of the event, its nature and the circumstances in which the event happened. Notification can be verbal, written or by public notice depending on who is notifying and being notified.

The duty to notify arises where:

- a person carries out activities or becomes aware of an act of another person arising from or connected to those activities which causes or threatens serious or material environmental harm
- while carrying out activities a person becomes aware of the happening of one or both of the following events:
  - the activity negatively affects (or is reasonably likely to negatively affect) the water quality of an aquifer
  - the activity has caused the unauthorised connection of two or more aquifers.

For more information on the duty to notify requirements refer to the guideline 'Duty to notify of environmental harm' (EM467).

Some relevant offences under the *Environmental Protection Act 1994*

Non-compliance with a condition of an environmental authority (section 430)

Section 430 of the *Environmental Protection Act 1994* requires that a person who is the holder of, or is acting under, an environmental authority must not wilfully contravene, or contravene a condition of the authority.

Environmental authority holder responsible for ensuring conditions complied with (section 431)

Section 431 of the *Environmental Protection Act 1994* requires that the holder of an environmental authority must ensure everyone acting under the authority complies with the conditions of the authority. If another person acting under the authority commits an offence against section 430, the holder also commits an offence, namely, the offence of failing to ensure the other person complies with the conditions.

Causing serious or material environmental harm (sections 437–39)

Material environmental harm is when the harm is not trivial or negligible in nature. Serious environmental harm is harm that is irreversible, of a high impact or widespread, or that is caused to an area of high conservation value or special significance. Damages, or costs required to rehabilitate the environment, of more than $5000 also constitute serious environmental harm.

Serious or material environmental harm excludes environmental nuisance.

Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the *Environmental Protection Act 1994*.

It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

Placing a contaminant where environmental harm or nuisance may be caused (section 443)

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

Some of the relevant offences under the *Waste Reduction and Recycling Act 2011*

Littering (section 103)

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 litres or more) at a place. Illegal dumping can also include abandoned vehicles.

Relevant offence under the Environment Protection (Waste Management) Regulation 2000

Trackable waste to be given only to licensed transporter (section 41)

A generator of trackable waste must not give the waste to another person to transport it commercially, or in a load of more than 250 kilograms, in a vehicle unless the other person holds, or is acting under, the required authority for transporting the waste in the vehicle.

Responsibilities under other legislation

An environmental authority pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for the activity that might be required by other state and/or Commonwealth legislation. Other legislation for which a permit may be required includes but is not limited to the:

- *Aboriginal Cultural Heritage Act 2003*
- contaminated land provisions of the *Environmental Protection Act 1994*
- *Fisheries Act 1994*
- *Forestry Act 1959*
- *Nature Conservation Act 1992*
- *Petroleum and Gas (Production and Safety) Act 2004 / Petroleum Act 1923*
- *Queensland Heritage Act 1992*
- *Sustainable Planning Act 2009*
- *Water Supply (Safety and Reliability) Act 2008*
- *Water Act 2000.*

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.