Permit

Environmental Protection Act 1994

Environmental authority EPPR00542713

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

Environmental authority number: EPPR00542713

Environmental authority takes effect on 31 May 2019

Environmental authority holder(s)

Name(s)	Registered address
Burke Shire Council	Lot 65 Musgrave Street BURKETOWN QLD 4830

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 60 - Waste disposal, 2: Operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection (1) (b), (a) 50t to 2000t	Lot 122/PC12
Prescribed ERA, ERA 63 - Sewage Treatment, 1: Operating sewage treatment works, other than no-release works, with a total daily peak design capacity of, (b-i) more than 100 but not more than 1500EP if treated effluent is discharged from the works to an infiltration trench or through an irrigation scheme	Lot 122/PC12
Prescribed ERA, ERA 16 - Extraction and Screening, 2: Extracting, other than by dredging, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 3/CP847166
Prescribed ERA, ERA 16 - Extraction and Screening, 2: Extracting, other than by dredging, in a year, the following quantity of material, (a) 5,000t to 100,000t	Lot 118/PC41
Prescribed ERA, ERA 16 - Extraction and Screening, 2: Extracting, other than by dredging, in a year, the following quantity of material, (a) 5,000t to 100,000t	LOT 1/SP217472
Prescribed ERA, ERA 64 - Water treatment, 3: Treating 10ML or more raw water in a day	Lot 104/PC20
Prescribed ERA, ERA 57 - Regulated Waste Transport, 2: Transporting regulated waste, other than tyres, in, (a) 1 to 5 vehicles	State of Queensland

ABN 46 640 294 485

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the Environmental Protection Act 1994 (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the Planning Act 2016 or an SDA Approval under the State Development and Public Works Organisation Act 1971), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Christine Mooney
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 31 May 2019

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

Obligations under the Environmental Protection Act 1994

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

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

Other permits required

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

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at www.dnrme.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Development Approval

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

Conditions of environmental authority

Part 1

Environmentally relevant actives	Locations
63-(1b)(i) Sewage treatment >100 to 1500EP - IT or IR	Sewage Treatment Plant - Burketown - Lot 122 Plan PC12
60-(2a) Waste disposal >50t but <2000t yr (1)(b)	Waste Disposal Facility - Burketown - Lot 122 Plan PC12
64-(3) Water treatment >10ML raw water day	Municipal Water Treatment Plant - Burketown - Lot 104 Plan PC20
57-(2a) Regulated waste transport 1 to 5 vehicles	Regulated Waste Transport - Itinerant Activity
16-(2a) Extractive >5000t but <100000t yr	Armraynald Gravel Pit - GP32 - Lot 3 Plan CP847166 Brook Gravel Pit - GP70 - Lot 118 Plan PC41

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

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

Agency interest: General	
Condition number	**Condition**
G1-1	All reasonable and practicable **measures** must be taken to prevent the likelihood of environmental harm being caused.
G1-2	Any breach of a condition of this environmental authority must be reported to the **administering authority** as soon as practicable within 24 hours of becoming aware of the breach. **Records** must be kept including full details of the breach and any subsequent actions taken.
G1-3	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
G1-4	All information and **records** required by the conditions of this environmental authority must be kept for a minimum of five years with the exception of environmental monitoring results which must be kept until surrender of this environmental authority. All information and **records** required by the conditions of this environmental authority must be provided to the **administering authority** upon request and in the format requested.
G1-5	An **appropriately qualified person(s)** must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.
G1-6	All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (**NATA**) certification, or an equivalent certification, for such analyses.
G1-7	**You** must record the following details for all environmental complaints received: a) date and time complaint was received b) name and contact details of the complainant c) nature of the complaint d) investigations undertaken e) conclusions formed f) actions taken.
G1-8	When required by the **administering authority**, monitoring must be undertaken in the manner prescribed by the **administering authority**, to investigate a complaint not considered by the **administering authority** to be frivolous or vexatious, of **environmental nuisance** arising from the **activity**. The monitoring results must be provided to the **administering authority** upon request.
G1-9	The **activity** must be undertaken in accordance with written procedures that: a) identify potential risks to the environment from the **activity** during routine operations and emergencies; and b) establish and maintain control **measures** that minimise the potential for environmental harm; and c) ensure plant, equipment and **measures** are maintained in a proper and effective condition; and d) ensure plant, equipment and **measures** are operated in a proper and effective manner; and e) ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994;* and f) ensure that reviews of environmental performance are undertaken at least annually.

Agency interest: Noise	
Condition number	**Condition**
N1-1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or commercial place.
Agency interest: Air	
Condition number	**Condition**
A1-1	Odours or airborne contaminants which are noxious or **offensive** or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any **sensitive place** or **commercial place**.
Agency interest: Waste	
Condition number	**Condition**
W1-1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.

Part 2

Environmentally relevant activity	**Location**
63-(1b)(i) Sewage treatment >100 to 1500EP - IT or IR	Sewage Treatment Plant - Burketown - Lot 122 Plan PC12

In addition to Part 1, 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	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system**.
G2-2	An annual monitoring report must be prepared and submitted to the **administering authority** by 30 November each year, for the preceding financial year.
G2-3	A **receiving environment monitoring program** must be designed and implemented by **appropriately qualified persons** to monitor the effects of the **activity** on the environment.

G2-4	A **receiving environment monitoring program** must be designed and implemented by **appropriately qualified persons** to monitor the effects of the **activity** on: Soils to ensure that the capacity of the **land** to assimilate nitrogen, phosphorus, salts and organic matter is not exceeded. The soil survey must include: 1. soil and sub-soil analysis, including assessment of the soils from representative locations, including type, structure, pH, phosphorus adsorption level and capacity, nutrient status, salinity and sodicity, and cation exchange capacity of the irrigation release areas; and 2. determination of the quantity and quality of contaminants applied to the soils from the recycled water irrigation; and 3. periodic re-assessment including modelling of the water, nutrient and salt balances and irrigation rate and return period to ensure sustainable use of the irrigation area; and 4. reporting of monitoring results and an assessment of the impact of the releases on the irrigation. Vegetation to determine whether vegetation has changed or become damaged since irrigation commenced. This will include before and after photos of key species, plant tissue analysis or dry matter production. **Groundwater** (when irrigating) This monitoring: (a) must be able to determine the impacts of the licensed **activity** on the **groundwater** quality in the underlying aquifer; and (b) include, but not be limited to, a sufficient number of bores (minimum of two) installed at locations and depths which yield representative **groundwater** samples from at least the uppermost aquifer so as to: i. establish the quality of **groundwater** that has not been affected by seepage or drainage of contaminants to **groundwater** from the **activity**; and ii. detect any seepage of contaminants to **groundwater** from the licensed place; and (c) include monitoring of background **groundwater** quality, hydraulically up-gradient of any release of contaminants to **groundwater**; and (d) include monitoring of upstream **groundwater** quality, hydraulically down gradient of all storage ponds, sewage treatment plant and irrigation areas; (e) include, but not limited to, biennial monitoring of the quality of **groundwater** to detect any possible release(s) of contaminants; and (f) consider the potential use of **groundwater** in the vicinity.
Agency interest: Land	
Condition number	**Condition**
L2-1	The treated effluent must be evenly distributed over an area stated in Table 1 – Irrigation area requirements.

Table 1 – Irrigation area requirements[1]

Wet weather storage volume [4]	Rainfall mm/year	Maximum irrigation rate[3]	Minimum **land** required (m^2)[1,2]
12,500kL	848.37	86.4m^3/day (dry weather)	2.25ha

Associated Requirements
1. Total irrigation area (ha) is outlined in attached plans.
2. Releases of treated effluent must not be outside of the irrigation area indicated on Map in Schedule 1.
3. Irrigation type is a fixed sprinkler system.
4. Volume of release must be calculated based on the total irrigation area when irrigating the maximum volume or worked out for the area of application based on the actual volume irrigated.

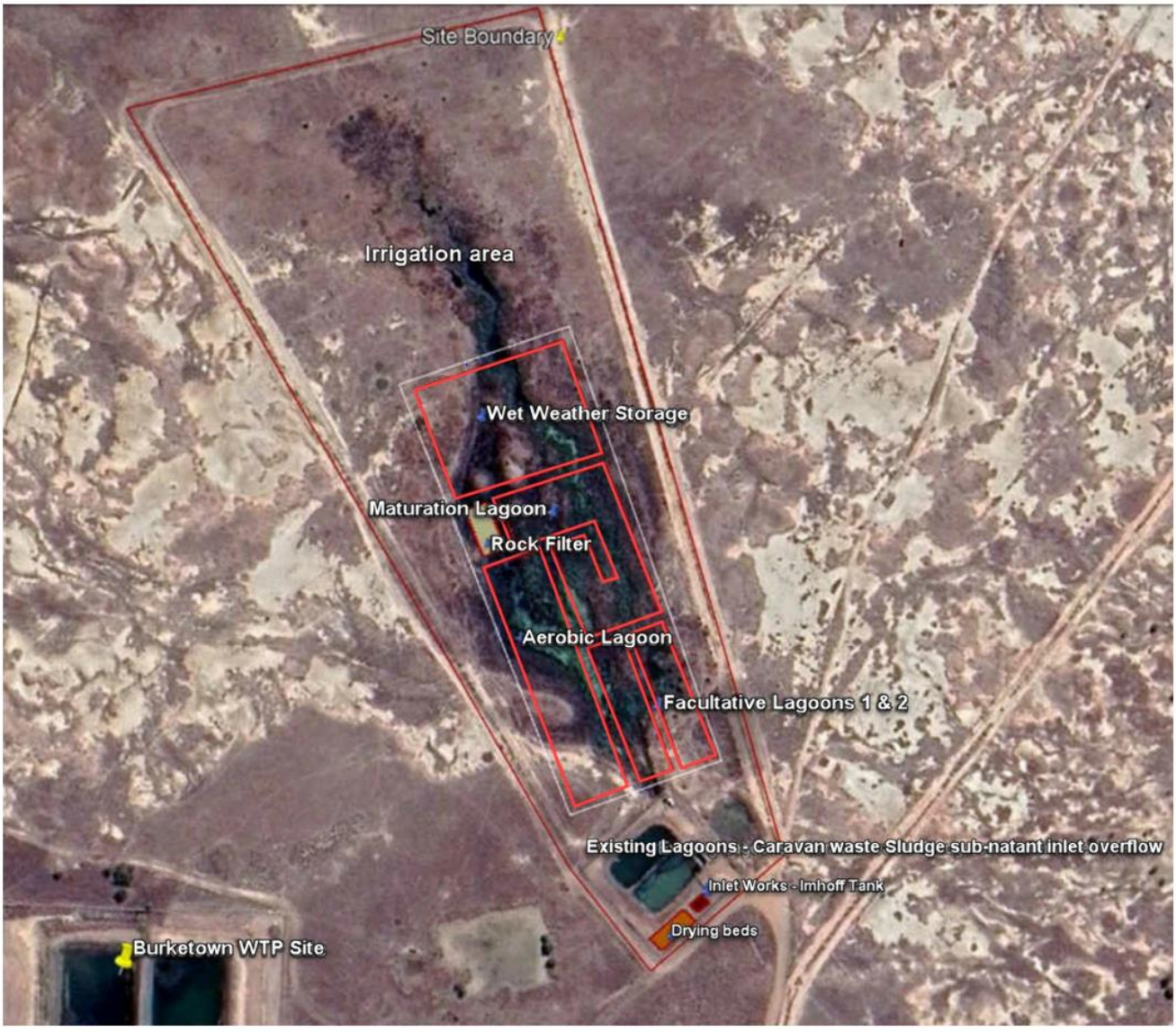
<table>
<tr><td>L2-2</td><td>The only contaminants to be released to land are in accordance with Table 2 -Treated effluent release limits to irrigation area and the associated requirements.

Table 2 -Treated effluent release limits to irrigation area
<table>
<tr><th rowspan="2">Quality characteristics</th><th colspan="4">Release Limits[1,2]</th></tr>
<tr><th>Minimum</th><th>50th Percentile</th><th>80th Percentile</th><th>maximum</th></tr>
<tr><td>Total nitrogen[4]</td><td></td><td>10mg/L</td><td>15mg/L</td><td>40mg/L</td></tr>
<tr><td>Total phosphorous[4]</td><td></td><td>10mg/L</td><td></td><td>30mg/L</td></tr>
<tr><td>Electrical conductivity</td><td></td><td></td><td></td><td>1600µs/cm</td></tr>
<tr><td>pH</td><td>6.5</td><td></td><td></td><td>8.5</td></tr>
<tr><td>BOD[3]</td><td></td><td>10mg/L</td><td>15mg/L</td><td>20mg/L</td></tr>
<tr><td>Total Suspended solids[3]</td><td></td><td>15mg/L</td><td>25mg/L</td><td>30mg/L</td></tr>
<tr><td>Total residual chlorine (if used for disinfection)</td><td></td><td></td><td></td><td>1mg/L</td></tr>
<tr><td>E. coli</td><td></td><td></td><td></td><td><1000cfu/100m[1]</td></tr>
</table>
Associated Requirements
1. Monitoring must be in accordance with the administering authority's Water Quality Sampling Manual and records of the results maintained.
2. All monitoring devices must be effectively calibrated and maintained.
3. Monitoring must be undertaken when treated sewage effluent is being irrigated, unless irrigation has ceased for longer than the relevant parameters specified minimum frequency (e.g. if TSS was only required to be monitored once a week, then a TSS sample would not be required after the first week following cessation of the release).
4. BOD and Total Suspended Solids are about determining that the plant is achieving design outputs.
5. Indicators for TN and TP are recommended to be done as grab samples.</td></tr>
<tr><td>L2-3</td><td>Treated effluent released to land must be done in accordance with documentation that ensures:
a) drainage to groundwater and subsurface flows of contaminants to surface waters are prevented.
b) surface pondage and run-off of effluent is prevented.
c) degradation of soil structure is minimised.
d) soil sodicity and the build-up of nutrients and heavy metals in the soil and subsoil are minimised.
e) spray drift or overspray does not carry beyond effluent disposal areas.
f) effluent disposal areas are maintained with an appropriate crop in a viable state for transpiration and nutrient uptake.
g) sufficient buffer zones are maintained between irrigation sites and sensitive environmental receptors.</td></tr>
<tr><td>L2-4</td><td>When weather conditions or soil conditions preclude the release of treated sewage effluent to land, effluent must not be irrigated to land.</td></tr>
<tr><td>L2-5</td><td>Treated sewage effluent may be removed from the site and used for an alternate purpose, with the written consent of any third party involved.</td></tr>
</table>

Agency interest: Water	
Condition number	**Condition**
WT2-1	An impermeable liner system must be installed and maintained to prevent release of contaminants from all effluent ponds to **land** and **waters**.
WT2-2	Contaminants must not be released to **groundwater** or at a location where they are likely to release to **groundwater**.

Schedule 1 — Approved plans

Map of irrigation area titled "Provisional Lagoon Layout".



Part 3

Environmentally relevant activity	Location
60-(2a) Waste disposal >50t but <2000t yr (1)(b)	Waste Disposal Facility - Burketown - Lot 122 Plan PC12

In addition to Part 1, 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**
G3-1	An effective firebreak must be provided and maintained.
Agency interest: Land	
Condition number	**Condition**
L3-1	**Land** that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that: 1. suitable species of vegetation for the location are established and sustained for earthen surfaces 2. potential for erosion is minimised 3. the quality of water, including seepage, released from the site does not cause environmental harm 4. potential for **environmental nuisance** caused by dust is minimised 5. the water quality of any residual water body does not have potential to cause environmental harm 6. the final landform is stable and protects public safety 7. the contaminant concentrations within the final capping layer are appropriate for the final **Land** use and in accordance with the *'National Environmental Protection (Assessment of Soil Contamination) Measure 1999.'*
L3-2	Following cessation of deposition of waste in the **landfill unit**, post-closure care of the **landfill unit** must be conducted for a period of 30 years or until the **administering authority** determines, on the basis of correct information, that the **landfill unit** and surrounding site are stable and that no release of waste materials, **leachate**, landfill gas or other contaminants that may cause environmental harm is likely.
L3-3	The program of post-closure care implemented must be effective in preventing and/or minimising the likelihood of environmental harm being caused. The program must include **measures** to: 1. maintain the structural integrity and effectiveness of the final capping system; 2. maintain and operate the **leachate** collection system; 4. maintain and operate the landfill gas monitoring system; and 5. maintain and operate the landfill gas collection system.
L3-4	Treatment and management of acid sulfate soils must comply with the latest edition of the Queensland Acid Sulfate Soil Technical Manual.

Agency interest: Air	
Condition number	**Condition**
A3-1	The following materials must not be used for dust suppression purposes: 1. **Leachate** or landfill gas condensate. 2. Waste oil or other hydrocarbons.
Agency interest: Water	
Condition number	**Condition**
WT3-1	All batteries, **liquid** chemicals, fuels, and other **liquid** substances with potential to cause environmental harm must be stored within a **secondary containment system** that is impervious to the materials stored within it, and must be managed to prevent the release of contaminants to **waters** or **land**.
Agency interest: Waste	
Condition number	**Condition**
W3-1	The following waste streams must not be permitted to be placed at the **landfill facility** at any time: 1. **Liquid** or semi **liquid** waste, other than: a. **Liquid** or semi-liquid waste which has been produced in the carrying out of the **activity**; b. **Liquid** or semi-liquid waste that is incidental to, and commingled with, the permitted waste streams. 2. hot ash; 3. material that is smouldering or aflame; 4. material containing a substance which is ignitable, corrosive, reactive or toxic material (other than materials containing a toxic substance from domestic premises) unless this material is to be deposited into a dedicated monocell with a written approval of the **administering authority**; 5. all radioactive wastes, unless otherwise approved under the *Radiation Safety Act 1999* or approved contaminated soil; 6. an explosive; 7. ammunition, other than ammunition that no longer contains explosives, pyrotechnics or propellants apart from trace residues that are no longer capable of supporting combustion or an explosive reaction.
W3-2	All waste that is likely to cause environmental harm when placed in an exposed position must be handled and disposed of as a special burial.

Part 4

Environmentally relevant activity	**Location**
57-(2a) Regulated waste transport 1 to 5 vehicles	Regulated Waste Transport - Itinerant Activity

The environmentally relevant activity conducted at the location described above must be conducted in accordance with the standard conditions contained within the document entitled:

Code of environmental compliance – ERA 57 – Regulated waste transport, Version 4.

Part 5

Environmentally relevant activity	**Locations**
16-(2a) Extractive >5000t but <100000t yr	Armraynald Gravel Pit - GP32 - Lot 3 Plan CP847166 Brook Gravel Pit - GP70 - Lot 118 Plan PC41

In addition to Part 1, 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**
G5-1	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**
Agency interest: Waste	
Condition number	**Condition**
W5-1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
Agency interest: Air	
Condition number	**Condition**
A5-1	**Vibration** emitted from the ERA must not cause an **environmental nuisance** at any **sensitive place** or **commercial place**.
Agency interest: Land	
Condition number	**Condition number**
L5-1	Treatment and management of acid sulfate soils must comply with the guidance provided in the current edition of the Queensland Acid Sulfate Soil Technical Manual.
L5-2	**Land** that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that: 1. suitable native species of vegetation for the location are established and sustained for earthen surfaces; 2. potential for erosion is minimised; 3. the quality of water released from the site, including seepage, does not cause environmental harm. 4. potential for **environmental nuisance** caused by dust is minimised; 5. the water quality of any residual water body does not have potential to cause environmental harm; 6. the final landform is stable and protects public safety.
L5-3	Rehabilitation of **disturbed areas** required under condition L5-2, must take place progressively as works are staged and are commenced.

Agency interest: Water	
Condition number	**Condition number**
WT5-1	The stormwater runoff from **disturbed areas,** generated by a storm event up to and including a **24 hour storm event with an average recurrence interval of 1 in 5 years** must be retained on site or managed to remove contaminants before released offsite.

Part 6

Environmentally relevant actives	**Locations**
64-(3) Water treatment >10ML raw water day	Municipal Water Treatment Plant - Burketown - Lot 104 Plan PC20

In addition to Part 1, 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**
G6-1	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**
Agency interest: Water	
Condition number	**Condition**
WT6-1	Contaminants must not be released to **groundwater** or at a location where they are likely to release to **groundwater.**
Agency interest: Land	
Condition number	**Condition**
L6-1	Treatment and management of acid sulfate soils must comply with the guidance provided in current edition of the Queensland Acid Sulfate Soil Technical Manual.
L6-2	All batteries, **liquid** chemicals, fuels, and other **liquid** substances with potential to cause environmental harm must be stored within a **secondary containment system** that is impervious to the materials stored within it, and must be managed to prevent the release of contaminants to **waters** or **land**.

Part 7

Environmentally relevant activity	**Location**
16-(2a) Extractive >5000t but <100000t yr	Lot 1 Plan SP217472

The environmentally relevant activity conducted at the location described above must be conducted in accordance with the standard conditions contained within the document entitled:

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

Definitions

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.
Administering authority means the Department of Environment and Science or its successors or predecessors.
Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirement using the relevant protocols, standards, methods or literature.
Commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place
Disturbed areas includes areas:
1. that are susceptible to erosion;
2. that are contaminated by the activity; and/or
3. upon which stockpiles of soil or other materials are located.

Environmental nuisance as defined in Chapter 1 of the *Environmental Protection Act 1994.*
Groundwater means water that occurs naturally in, or is introduced artificially into, an aquifer.
Groundwater monitoring system means a system of **groundwater** monitoring devices, such as monitoring bores, used to provide data in respect to the level and quality of **groundwater** in the uppermost aquifer where the location of the **groundwater** monitoring devices is such that comparisons of **groundwater** quality and **groundwater** level can be made between **groundwater** flowing from beneath the site (down-gradient flow) of the **activity** and **groundwater** flowing towards the site of the **activity** (up-gradient flow).
Land does not include **waters.**
Landfill unit means a discrete area of land or an excavation that receives solid waste.
Landfill facility means land and structures at the site approved used for the disposal of solid waste.
Leachate means a liquid that has passed through or emerged from, or is likely to have passed through or emerged from, a material stored, processed or disposed of at the site that contains soluble, suspended or miscible contaminants likely to have been derived from the said material.
Liquid means any substance that: 1. has an angle of repose of less than five degrees; or 2. becomes free flowing at or below 60 degrees Celsius or when it is transported; or 3. is not generally capable of being picked up by a spade or shovel.
Measures have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.
NATA means National Association of Testing Authorities. Noxious means harmful or injurious to health or physical well-being.
Offensive means causing offence or displeasure, is unreasonably disagreeable to the sense, disgusting, nauseous or repulsive.
Prescribed water contaminants means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.
Receiving environment monitoring program means a monitoring program designed to monitor and assess the potential impacts of controlled and/or uncontrolled releases of contaminants to the environment from the **activity.**
Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.
Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to **land, groundwater,** or surface **waters.**
Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:
1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or

4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a public park or garden;
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008

Vibration is the oscillating or periodic motion of a particle, group of particles, or solid object about its equilibrium position.

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.

You means the holder of the environmental authority.

24 hour storm event with an average recurrence interval of 1 in 5 years means the maximum rainfall depth from a 24-hour duration precipitation event with an average recurrence interval of once in 5 years.

END OF PERMIT

Code of environmental compliance

ERA 57 — Regulated waste transport

Superseded code of environmental compliance for certain aspects* of regulated waste transport

(ERA 57)

Version 4

Superseded
Valid for approvals from 9 November 2012 to 28 June 2018

The standard conditions of this code of environmental compliance are the conditions of an environmental authority where the criteria of this code of environmental compliance were met and an approval was applied for from 31 March 2013 to 28 June 2018.

These conditions do not apply for new applications for these activities. An ERA standard for regulated waste transport applies for new operations for these activities.

Note: A reference in this document to the Department of Environment and Heritage Protection should be read as a reference to the Department of Environment and Science.

ABN 46 640 294 485

Queensland Government

Code of environmental compliance

ERA 57—Regulated waste transport

This code of environmental compliance (code) has been made under Schedule 3 of the Environmental Protection Regulation 2008. It contains the standard environmental conditions approved by the Minister, under section 549(2) of the Environmental Protection Act 1994*, for carrying out the aspect of the environmentally relevant activity (ERA) specified in Section 2 of this code.*

Code of environmental compliance for certain aspects* of regulated waste transport (ERA 57)

Version 4

From 31 March 2013, codes of environmental compliance no longer have effect, and an environmental authority is required for this ERA.

The eligibility criteria and standard conditions of this code are taken to be eligibility criteria and standard conditions for the ERA until new eligibility criteria and standard conditions take effect.

Any new operation commencing from 31 March 2013 that meets the eligibility criteria in Section 2 of this code and that can meet all of the standard conditions can apply for a standard approval to carry out this activity. The conditions that apply to the standard approval will be the standard conditions.

Where the operation cannot meet all the standard conditions of this code, a variation application for an environmental authority can be made. The environmental authority will include the standard conditions as modified by any approved variations.

Information on applying for an approval is at www.business.qld.gov.au.

Anyone holding a registration certificate to operate under this code before 31 March 2013 is automatically taken to have an environmental authority for the ERA. The registration certificate becomes an environmental authority and the standard environmental conditions of this code will be the conditions of the environmental authority as standard conditions. The anniversary day of the environmental authority is the anniversary day of the registration certificate.

* This code only applies to the aspects of the ERA that meet with the criteria in section 2 of this code.

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1. Introduction

The Department of Environment and Heritage Protection has introduced an improved environmental compliance framework for **environmentally relevant activities (ERAs)**[1] with a relatively low risk of environmental impact by introducing codes of environmental compliance (codes) that set out **standard environmental conditions**. Codes are appropriate for those activities that can achieve a good level of environmental protection through established practices and compliance with **standard environmental conditions**.

The codes also include advisory notes to help **operators** understand the condition or measures that may be taken to ensure compliance. The advisory notes are a guide only and do not limit the range of measures that may be taken to comply with a condition.

This use of codes simplifies and speeds up environmental approvals for the businesses involved, while retaining appropriate standards of environmental protection and performance.

The Minister responsible for the *Environmental Protection Act 1994* (EP Act), pursuant to section 549 of the EP Act, has approved the **standard environmental conditions** contained in this code. Approved codes are listed in Schedule 3 of the Environmental Protection Regulation 2008 (EP Reg).

2. Scope of the code

This code applies to ERA 57 — Regulated waste transport, where the operation of the ERA will comply with all the criteria outlined in the following table:

Criteria
Regulated waste is transported by road vehicles only (not by train, boat, aircraft, pipeline or other means).

Where the operation of a particular ERA will not meet the above criteria, this code does not apply and a development approval is required to undertake the ERA.

The ERA — Regulated waste transport, is defined in Schedule 2 of the EP Reg as:

"ERA 57. Regulated waste transport consists of —

a) transporting on a non-commercial basis 250kg or more of regulated waste in a vehicle; or

b) transporting on a commercial basis any quantity of regulated waste in a vehicle.

3. When the code takes effect

This code applies immediately to all **operators** of ERA 57 (that meet the criteria in section 2 of this code) who commenced activities on or after 1 July 2006.

Operators who were carrying out ERA 57 under a development approval before 1 July 2006, and continued to carry out the **activity** had a 12 month transitional period to ensure their operations complied with the code. The code became effective for those **operators** on 1 July 2007.

Version 4 of this code contains new and amended **standard environmental conditions** that took effect on 9 November 2012. Version 4 of this code applies immediately to all **operators** of ERA 57 (that meet the criteria in section 2 of this code) who commenced activities on or after 9 November 2012.

Version 3 of this code continues to apply for 12 months to **operators** who were carrying out ERA 57 under version 3 of this code. Those **operators** who continue to carry out the **activity** have a 12 month transitional

[1] Terms used throughout this code that are defined in section 9 are shown in bold type.

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period to ensure their operations comply with the new or amended **standard environmental conditions** of version 4 of this code.

4. Enforcement of the code

This code contains **standard environmental conditions** for carrying out the aspects of ERA 57 that meet the criteria outlined in section 2 of this code. Failure to comply with the conditions is an offence under the EP Act and penalties apply. Enforcement guidelines published by the **department** are available at www.ehp.qld.gov.au.

5. Other requirements

In addition to the conditions in this code, a person carrying out ERA 57 must comply with other requirements of the EP Act and any other relevant Commonwealth, State or local government legislative requirements. Without limiting statutory requirements that may apply, some additional obligations under the EP Act include:

- holding a "**registration certificate**" issued by the **department** under section 73F; and
- taking all reasonable and practicable measures to prevent or minimise environmental harm. This is referred to as the "general environmental duty".

It is the **operator's** responsibility to obtain any other approvals before carrying out the **activity**.

6. Amendment of this code

The code may be amended from time to time by gazette notice advising that the Minister has approved new conditions. Proposed changes to the **standard environmental conditions**, other than changes to correct a clerical error, will be made in consultation with stakeholders. Where there is a significant change to the code, the **department** will notify persons affected by the change.

Version 2 did not amend any **standard environmental conditions**. Minor amendments were made to reflect the new description of the ERA as it appears in Schedule 2 of the EP Reg.

Version 3 contains a number of minor amendments that update references to departmental names, contact details for obtaining publications and more recent versions of standards referred to in the advisory notes, It does not amend any **standard environmental conditions**.

Version 4 of the code contains the following changes:

- amendment of condition 7 to allow for the transfer of grease trap and other oily wastes between **road tank vehicles** for the purpose of consolidating loads.
- addition of standard conditions 47 to 49 regarding the transfer of waste.
- addition of the definition of '**oily waste**'.
- addition of the definition of '**sensitive place**'.
- amendment of the definition of '**waters**' to remove stormwater channel, stormwater drain, roadside gutter and stormwater run-off.
- minor administrative amendments to reflect the change in the department name to the Department of Environment and Heritage Protection (formerly known as the Department of Environmental and Resource Management and known as the Environmental Protection Agency prior to that), changes in other departmental names, contact details and condition numbering.

7. Further information or enquiries

Further information is available at www.ehp.qld.gov.au or by contacting a regional office. General enquiries or suggestions for future amendments to the code should be directed to Permit and Licence Management (PALM) on telephone 13 QGOV (13 74 68) or by email at: palm@ehp.qld.gov.au.

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8. Standard environmental conditions and advisory notes

The following tables list groups of **standard environmental conditions** that apply to different aspects of regulated waste transport. Table 8.1 contains a general set of conditions that apply to all activities covered by this code. Advisory notes appear beside the conditions to provide guidance on compliance.

Depending on the type of vehicle used, and the nature of waste transported, additional **standard environmental conditions** as specified in Tables 8.2 to 8.8 (see below) may also apply. For example, if an **activity** involves the transport of asbestos in a **rigid vehicle**, Tables 8.1, 8.2 and 8.6 will apply.

Table 8.2 — Asbestos conditions.
Table 8.3 — Lead conditions.
Table 8.4 — Clinical and related waste conditions.
Table 8.5 — Polychlorinated biphenyl (PCB) conditions.
Table 8.6 — Rigid vehicle conditions.
Table 8.7 — Road tank vehicle conditions.
Table 8.8 — Operating 36 or more vehicles.

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Table 8.1 General conditions

Conditions applying to all regulated waste transport activities operating under this code.

Standard Environmental Conditions	Advisory Notes
Condition 1 – Vehicle details For new **operators** — details of all vehicles used to transport **regulated waste** must be provided to the **department** before commencing the **activity**.	This information may be provided to the **department** by completing and submitting the *Details of regulated waste vehicles* form. This is available from the department's website or by contacting PALM on 13 QGOV (13 74 68).
Condition 2 – Change of details notification For existing **operators** — if any vehicle registration details change, or any vehicles are added to or removed from the fleet of vehicles used to transport **regulated waste**, details of these changes must be provided to the **department**: a) as soon as practicable after the changes occur; or b) if transporting tyres — prior to each **anniversary day** (see section 9); or c) if transporting other **regulated wastes** — when paying the annual fee to the **department** for the **registration certificate**.	For **operators** transporting tyres, the *Details of regulated waste vehicles* form mentioned in the advisory note for condition 1 may be used for providing details of changes. For **operators** transporting other **regulated wastes**, an annual notice (including the *Details of regulated waste vehicles* form) may be sent to the **operator** when the **registration certificate's** annual fee is due.
Condition 3 – Incompatible wastes **Incompatible wastes** must not be: a) placed in the same container; or b) transported in such a way that mixing may occur.	In general, wastes are incompatible if they are likely to increase the risk to human health and/or the environment when mixed or brought into contact with each other e.g. acids and alkalis and mixing some solid wastes with liquid wastes. If a waste is classified as a dangerous good, the *Australian Code for the Transport of Dangerous Goods by Road and Rail*, 7th edition, (**ADG Code**), or more recent versions should also be observed.
Condition 4 – Design and compatibility **Regulated waste** must only be transported in suitably designed vehicles, tanks, containers or secondary containers that are appropriate for containing the waste being transported.	Design should take into account at least the following matters: • the relevant design requirements prescribed in Schedule 8 of the *Environmental Protection (Waste Management) Regulation 2000* (see Appendix 1 of this code); • the corrosive nature of the waste being transported (e.g. acid waste must be transported in acid resistant containers); • the physical state of the waste (e.g. liquids should only be transported in drums, tanks or tankers);

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Standard Environmental Conditions	Advisory Notes
	• the requirements outlined in the **ADG Code**; and • any relevant Australian Standards.
Condition 5 – Maintenance and cleaning All vehicles, tanks, containers and secondary containers used to transport **regulated waste**: a) must be maintained in a good condition at all times to prevent any spillage or leakage of **regulated waste** or other contaminants; and b) kept free of **regulated waste** residues at all times when not in use.	Regular inspections, cleaning and maintenance programs should be documented and implemented. For example, tankers and tanks used for transporting liquid wastes should have appropriate integrity tests conducted at regular intervals. The **operator** will also need to comply with any workplace health and safety requirements in relation to this matter. Contact the Department of Justice and Attorney-General (Division of Workplace Health and Safety Queensland) for advice on telephone 1300 369 915.
Condition 6 – Partitioning of load A solid impervious partition must be provided to separate the load compartment/area of the **regulated waste** transport vehicle from the driver's compartment.	The partition will need to be of suitable design and, construction to prevent the load characteristics from affecting its performance and prevent wastes from entering the driver's compartment.
Condition 7 – Disposal **Regulated waste** must not be removed or released from any vehicle other than: a) at a facility that can lawfully receive the **regulated waste**; or b) for the purpose of consolidation grease trap and/or other oily wastes in a larger **road tank vehicle** where access to the waste source is restricted to smaller **road tank vehicles**.	Check with the operator of the receiving facility or the **department** to ensure that the receiving facility can lawfully accept the **regulated waste**. The transfer of waste between tankers is to be undertaken in accordance with conditions 47-49 of Table 8.7 Road tank vehicle conditions.
Condition 8 – Prevention of spillage **Regulated waste** must not leak or spill from the vehicle.	Adequate containment devices (e.g. spill trays or sumps) that are inspected and cleaned regularly should be fitted to prevent spills from leaving the vehicle.
Condition 9 – Clean up of spills Notwithstanding condition 8, any leakage or spillage of **regulated wastes** must be contained immediately, recovered and disposed of to a facility that can lawfully accept the waste.	Any leakages or spillages should be contained, recovered and disposed of appropriately, not washed into the stormwater system, **waters** or onto the ground.

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Standard Environmental Conditions	Advisory Notes
Condition 10 – Spill kit An appropriate spill kit, personal protective equipment and relevant instructions for the management of the **regulated wastes** transported must be maintained and kept in each vehicle.	A designated storage area within or on the vehicle and easily accessible in an emergency should be provided for this purpose.
Condition 11 – Notification of spills (interstate) If operating interstate, any spillage, leak, escape or other loss of **regulated waste** from the vehicle must be reported as soon as practicable to the relevant **regulatory agency** of the State or Territory in which the vehicle is travelling when the incident occurs.	Details for the relevant agencies should be kept in the vehicle, or be readily available through communication with the **operator's** head office, or operations base.
Condition 12 – Notification of spills (Queensland) When operating in Queensland, any **release** of contaminants not in accordance with the conditions of this code must be reported by telephone to the **department's** Pollution Hotline or regional office located in the area where the **release** occurred. Any such **release** must be reported as soon as practicable, but no later than 24 hours (depending on the level of risk to the environment), after becoming aware of the **release**.	The **department** may need to respond quickly to some spills that have the potential to cause environmental harm. Priority should be given to notifying the **department** of these spills immediately after they occur. The Pollution Hotline number is 1300 130 372. Notification of spills under this section does not remove the duty to notify environmental harm in sections 320 to 320G of the EP Act.
Condition 13 – Information about spills A written notice detailing the following information must be provided to the **department** within 14 days of any advice provided in accordance with condition 12: a) the name of the **operator**, including the operator's **registration certificate** number; b) the name and telephone number of a designated contact person; c) substance and quantity released; d) vehicle and vehicle registration details; e) person/s involved (driver and any others); f) the location and time of the **release**; g) the suspected cause of the **release**; h) a description of the effects of the **release**; i) the results of any sampling performed in relation to the **release**; j) actions taken to mitigate the risk or extent of environmental harm caused by the **release**; k) the success of any actions taken to mitigate the risk or extent of environmental harm; and l) proposed actions to prevent a recurrence of the **release**.	This written advice should be provided to the **department's** regional office located in the area where the **release** occurred.

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Standard Environmental Conditions	Advisory Notes
Condition 14 – Insurance All vehicles used to transport **regulated wastes** (that are not classified as dangerous goods, or as a placard load of dangerous goods), must be covered by a policy of insurance or other form of indemnity, for a sum that is not less than $100,000, in respect of: a) personal injury, death, property damage and other damage (except consequential economic loss) arising out of fire, explosion, leakage or spillage of dangerous goods in, on or from the vehicle or a container on the vehicle; and b) costs incurred by or on behalf of a Commonwealth, State or Territory government authority in a clean-up resulting from any event of the kind referred to in subparagraph a) of this condition.	If the **regulated waste** is classified as a placard load of dangerous goods, consult with the Dangerous Goods Unit in the Department of Transport and Main Roads and the **ADG Code** regarding any additional levels of insurance that may be required.
Condition 15 – Records All records required by this code must be kept for 5 years and be made available to an authorised officer of the **department** when requested.	Records should verify the provision of training programs and schedules of routine inspections.
Condition 16 – Waste records A record of all **regulated waste** (excluding trackable waste) must be kept detailing the following information for every load of waste transported: a) date of pickup of waste; b) description of waste; c) quantity of waste; d) origin of the waste; and e) destination of the waste.	Trackable wastes, as listed in Schedule 1 of the *Environmental Protection (Waste Management) Regulation 2000,* are covered by recording as required in that Regulation instead of this condition. The regulation is available for viewing at www.legislation.qld.gov.au. Recording requirements for trackable wastes (under the waste tracking system established under the above Regulation) are similar to this condition.
Condition 17 – Documentation At all times, a copy of: a) the **registration certificate** issued by the **department** for **regulated waste** transport activities; and b) the appropriate emergency guides in relation to the waste transported must be carried in the cabin of each vehicle used to transport **regulated waste** and when requested, be presented to an authorised officer of the **department** or relevant **regulatory agency** of the State or Territory in which the vehicle is travelling.	Standards Australia publish numerous guides, including: • *HB 76-2004 Dangerous Goods – Initial emergency response guide; and* • emergency procedure guides (AS1678 series); which are available from SAI Global Business Publishing[2]. The **ADG Code** may require additional documents to be carried if the **regulated waste** is also classified as a dangerous good.

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[2] SAI Global can be contacted on 131 242 or via their website www.saiglobal.com/shop.

Standard Environmental Conditions	Advisory Notes
Condition 18 – Training All vehicle drivers must: a) have access to a copy of this code in the vehicle, or through direct communication with the vehicle depot or operations base; and b) be trained in the requirements of this code, including the use of all equipment and procedures necessary to comply with the conditions of this code, and document all training undertaken.	A copy of this **code of environmental compliance** should be available for reference at a vehicle depot, operations base or place where the vehicle is garaged. If permanent communication is not available to someone with this code, a copy of this code should be kept in the cabin of the vehicle. Details of training provided should be documented by the registered operator to demonstrate compliance with this condition.
Condition 19 – Complaint response The following details must be recorded: a) time, date, name and contact details of the complainant; b) reasons for the complaint; c) any investigations undertaken; d) conclusions formed; and e) any actions taken.	This information should be made available to the **department** on request. If the complainant does not provide their name and contact details, record this as an anonymous complaint.

Table 8.2 Asbestos conditions

Additional conditions applying to the transport of asbestos waste under this code.

Standard Environmental Conditions	Advisory Notes
Condition 20 – Asbestos containment All asbestos transported must be: a) double bagged and sealed in heavy-duty polythene bags (minimum 200 μm thickness); or b) contained in sealed drums or bins that are lined with heavy-duty plastic (minimum 200 μm thickness); or c) where the volume or size of **asbestos waste** (e.g. large asbestos cement sheets) is greater than the volume or size of a bag, drum or bin: i) for **friable asbestos waste**, sealed in double lined heavy-duty plastic sheeting (minimum 200 μm thickness) prior to being placed into a waste skip, vehicle tray or similar container; or ii) for non-friable **asbestos waste**, kept damp and contained in a waste skip, vehicle tray or similar container that has been double lined with heavy duty plastic sheeting (minimum 200 μm thickness) and then completely	Refer to the *Work Health and Safety Act 2011, Work Health and Safety Regulation 2011 and Work Health and Safety (Codes of Practice) Notice 2011* for any additional requirements that may apply. These are available from the Office of the Queensland Parliamentary Counsel website www.legislation.qld.gov.au. In addition, the requirements of the *Safe Work Australia Code of Practice on How to Safely Remove Asbestos 2011* or the *Safe Work Australia Code of Practice on How to Manage and Control Asbestos in the Workplace 2011 or* any subsequent versions, may also apply. These are available on the Safe Work Australia website www.safeworkaustralia.gov.au. Additional requirements may apply under the **ADG Code**.

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sealed with the plastic sheeting and adhesive tape.	
Condition 21 – Asbestos handling All asbestos transported must be: a) labelled with a warning statement to indicate the presence of asbestos and that dust creation and inhalation needs to be avoided; b) securely loaded and stowed on the vehicle during transit in such a way that does not cause the packaging to rupture; c) off loaded carefully to prevent the packaging from rupturing; and d) repackaged immediately if rupturing of the packaging does occur.	The *Safe Work Australia Code of Practice on How to Safely Remove Asbestos provides the following example of a warning statement which might be used:* "Caution – Asbestos Do not damage or open bag Do not inhale dust Cancer and lung disease hazard" If repackaging is required due to rupturing, workplace health and safety requirements will apply. Contact the Department of Justice and Attorney-General (Division of Workplace Health and Safety Queensland) for advice on 1300 369 915.

Table 8.3 Lead conditions

Additional conditions applying to the transport of particulate lead waste under this code.

Standard Environmental Conditions	Advisory Notes
Condition 22 – Lead All particulate lead waste must be: a) double bagged and sealed in heavy duty polythene bags (minimum 200 μm thickness), and placed in containers on the vehicle; b) labelled to indicate the presence of lead and with appropriate lead **risk** and **safety phrases** (see definitions "**risk phrase**" and "**safety phrase**" in section 9 of this code); c) securely loaded and stowed on the vehicle during transit in such a way that does not cause the packaging to rupture; d) off loaded carefully to prevent the packaging from rupturing; and e) repackaged immediately if rupturing of the packaging does occur.	Particulate lead waste is waste that is capable of becoming airborne or unable to be easily recovered if a spill occurs during transport. Examples of particulate lead wastes include waste from foundry filters and lead based paint residues. Please refer to the *Workplace Health and Safety Regulation 2008 (Qld)* (or any subsequent versions) for any additional requirements that may apply. If the lead is a dangerous good, additional requirements may apply under the **ADG Code**.

Valid for approvals from 9 Nov 2012

Table 8.4 Clinical and related waste conditions

Additional conditions applying to the transport of clinical and related waste under this code.

Standard Environmental Conditions	Advisory Notes
Condition 23 – Vehicle compartment All **clinical** and **related wastes** must be transported in a fully enclosed load compartment of a vehicle that: a) is bunded or otherwise designed to contain any spills and leaks; b) is lockable; and c) has internal surfaces which are rigid and seamless to facilitate cleaning and disinfection.	Refer to Appendix 1 of this code for specific design rules as required by the *Environmental Protection (Waste Management) Regulation 2000*. For interstate transport, refer to Australian Standard *3816:1998 — Management of Clinical and Related Waste* (or subsequent versions) for any additional requirements that may apply. For radioactive wastes, contact the Queensland Health Radiation Health Unit on (07) 3328 9987 for any licensing requirements that may apply under the *Radiation Safety Act 1999*. For wastes also classified as dangerous goods, refer to the **ADG Code**.
Condition 24 – Security Vehicles and load compartments must be locked when unattended.	This is required to prevent unauthorised access.
Condition 25 – Secondary containment All **clinical** and **related wastes** must be provided with rigid secondary containment during transport.	Secondary containment may be achieved if the waste is fully contained in: • appropriate bags that comply with the design rules in Appendix 1 of this code (primary containment); and • a rigid-walled waste container that complies with the design rules in Appendix 1 of this code (secondary containment). Additional requirements may apply if the waste is also classified as a dangerous good (refer to the Dangerous Goods Unit in the Department of Transport and Main Roads or other relevant authority in the State or Territory in which the vehicle is travelling).
Condition 26 – Cleaning and disinfection Secondary containers used for the transportation of **clinical** and **related wastes** must be effectively cleaned and disinfected before reuse.	The local council should be consulted prior to the disposal of any effluent to sewer. The **operator** will also need to comply with any workplace health and safety requirements in relation to this matter. Contact the Department of Justice and Attorney-General (Division of Workplace Health & Safety Queensland) for advice on 1300 369 915.

Valid for approvals from 9 Nov superseded

Standard Environmental Conditions	Advisory Notes
Condition 27 – Compaction systems **Clinical** and **related wastes** must not be transported in vehicles fitted with compaction systems.	Compaction may cause rupturing of containers and leakage of **clinical** and **related wastes**. These wastes need to be transported in totally enclosed, intact, and leak proof containers for treatment and disposal in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
Condition 28 – Odour nuisance Noxious or offensive odours must not be released from any vehicle transporting **clinical** or **related wastes**.	Refrigeration may be necessary to comply with this condition. When determining if the waste should be refrigerated during transport, consideration should be given to any Queensland Health and workplace health & safety requirements and other factors such as: • specific type of **clinical** and **related waste** being transported; • time held in transit; • temperature; • distance travelled; and • state of the waste when received.

Table 8.5 Polychlorinated biphenyl (PCB) conditions

Additional conditions applying to the transport of PCB waste under this code.

Standard Environmental Conditions	Advisory Notes
Condition 29 – PCB management The transport of wastes containing PCBs that are also classified as scheduled wastes under the Australian and New Zealand Environment and Conservation Council (ANZECC) *Polychlorinated Biphenyls Management Plan – July 1999* must comply with the requirements of that Plan.	The *Polychlorinated Biphenyls Management Plan – July 1999* includes the requirement for: • PCBs to be transported in accordance with the **ADG Code**; and • the development of emergency containment and clean up procedures for the accidental **release** of PCBs into the environment. A copy of the ANZECC *Polychlorinated Biphenyls Management Plan* is available from the Commonwealth Department of Sustainability, Environment, Water, Population and Communities website www.environment.gov.au.

Valid for application Superseded on 9 Nov

Condition 30 – PCB trained personnel Personnel suitably trained in methods of handling and containing spilled PCBs must accompany any vehicle transporting waste containing PCBs.	As required by condition 18, details of training provided should be documented to demonstrate compliance with this condition.

Table 8.6 Rigid vehicle conditions

Additional conditions applying to the transport of regulated waste **in rigid vehicles and trailers under this code.**

Standard Environmental Conditions	Advisory Notes
Condition 31 – Vehicle tray When transporting **regulated waste** in **rigid vehicles** and trailers, the tray of the vehicles must be: a) constructed of an impervious material; b) maintained in a sound condition; and c) designed to contain any spills on the tray.	Trays should be inspected regularly and any corrosion or other defect should be attended to so that the integrity of the tray is maintained. Any containment system or sump should be designed to facilitate the collection and removal of spilt waste (e.g. by pumping liquids or shovelling solids).
Condition 32 – Covers When transporting **regulated waste** in **rigid vehicles** and trailers, any waste not fully contained within weatherproof packages must be covered during transport to contain the load and protect it from wind and rain.	The covers should be designed to prevent particulate matter becoming airborne and to prevent ingress of rain into the waste, which may result in dangerous reactions, or the runoff of contaminants.
Condition 33 – Securing of load When transporting **regulated waste** in **rigid vehicles** and trailers, all regulated waste containers must be: a) mounted securely to the vehicle; and b) contained within the tray of the vehicle.	All loads should be restrained in accordance with the requirements of the National Transport Commission and Road & Traffic Authority NSW; *Load Restraint Guide, 2nd Edition* (or subsequent versions). The guide is available from the National Transport Commission website at www.ntc.gov.au Additional requirements may apply under the **ADG Code** if the waste is classified as a dangerous good.
Condition 34 – Containment When transporting **regulated waste** in **rigid vehicles** and trailers, the vehicle must be fitted with: a) adequate cargo securing devices; and b) in the case of vehicles transporting **packaged regulated waste** (see definitions in section 9 of this code), rigid sides or gates that contain the load while in transit.	These must be appropriate for the type of containers or cargo being transported and suitable to withstand the rigours of transport and heavy braking.

Valid for approvals from 9 November 2018 Superseded

Standard Environmental Conditions	Advisory Notes
Condition 35 – Height of load When transporting **packaged regulated waste** in **rigid vehicles** and trailers, the top of any container must not protrude above the sides or gates of the vehicle by more than 30% of the height of the container.	This is intended to prevent toppling of the load if the primary restraint fails.

Table 8.7 Road tank vehicle conditions

Additional conditions applying to the transport of liquescent and dry particulate regulated waste in road tank vehicles under this code.

Standard Environmental Conditions	Advisory Notes
Condition 36 – Vehicle stability **Road tank vehicles** must be constructed to minimise instability and risk of rollover.	As a guide, refer to Australian Standard 2809.1—2008 *Road Tank Vehicles for Dangerous Goods – General requirements for all road tank vehicles* (or subsequent versions). This provides information about design features requiring particular attention, e.g. centre of gravity, tyre track, suspension, effect of prime mover, steering geometry and axle alignment, tyres and brakes.
Condition 37 – Roll-over protection **Road tank vehicles** must be provided with roll-over protection to protect all tanks, components and fittings on the upper and side surfaces of the tank in the event of the vehicle rolling over or becoming inverted.	As a guide, refer to the Australian Standard 2809 series. For example, this includes requirements for certain tanks to be fitted with roll-over protection with the following characteristics: • a guard in the form of inverted U-coamings, (the thickness of which depends on the type of tank and construction material, e.g. large-compartment made of low carbon steel, must not be less than 5mm in thickness); • any guard, dome or coaming shall project at least 25mm above the top of the fitting, which it protects.
Condition 38 – Transfer equipment Waste transfer equipment, including discharge point and pipe-work on **road tank vehicles**, must be: a) fitted to the vehicle so as to not extend beyond the outer body line of the vehicle; or b) designed to provide sufficient inherent resistance to damage; or c) provided with protection to prevent damage.	Transfer couplings should be located in a position on the tank(s) that will minimise the risk of the couplings being damaged or severed by an impact. For further information, refer to the Australian Standard 2809 series.

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Standard Environmental Conditions	Advisory Notes
Condition 39 – Sampling points **Road tank vehicles** used for the transport of liquid **regulated waste** must have sampling points on the top of each compartment that are readily accessible for the purposes of a roadside inspection.	Where appropriate, additional sampling valves may need to be provided at the bottom of the compartments.
Condition 40 – Transfer hoses **Regulated waste** material must not leak or spill from waste transfer hoses to the ground while the **road tank vehicle** is in transit.	Waste transfer hoses should be cleared before disconnection and maintained in good condition so as to prevent spillage or leakage of **regulated waste**. The following are examples of how hoses can be transported to minimise the risk of spills: • carry them in spill proof compartments on the vehicle; • fit them with leak proof caps with captive chains; or • connect them end-to-end. In addition, the **ADG Code** may include the requirement for hose assemblies to be: • inspected at least monthly; and • hydrostatically tested at least yearly.
Condition 41 – Road clearance All tank filling and discharge points on **road tank vehicles** must have adequate ground clearance and be rigidly connected to the tank.	As a guide, refer to Australian Standard 2809.1:2008 — *Road Tank Vehicles for Dangerous Goods – General requirements* for all **road tank vehicles** (or subsequent versions), which includes the following requirements: • Tank filling and discharge connections should not extend lower than 40mm below the plane through the centre-line of the axles. • Tank components and protection devices should not be less than 250mm within 1 metre of any axle, or 350mm from any other location when the vehicle is unladen.
Condition 42 – Vacuum system All **road tank vehicle** vacuum pump systems must be fitted with operational: a) pressure and/or vacuum relief valves; and b) pump shut-off valves.	Testing of the system should be carried out regularly and the results recorded, including details of any repairs and/or maintenance conducted.

Valid for approvals from 9 Nov
Superseded

Standard Environmental Conditions	Advisory Notes
Condition 43 – Volume measurement Where **regulated waste** is transported in **road tank vehicles**, the tank capacity must not be exceeded and a mechanism for volume measurement that is readily visible and calibrated to show maximum volume of waste in the tank must be fitted to each tank.	Sight glasses are an example of a mechanism for volume measurement. Depending on the type of **regulated waste**, sufficient **ullage** space should be provided (e.g. 10% or more of the tank capacity) to allow for thermal expansion of the waste during transport.
Condition 44 – Manholes Where **regulated waste** is transported in **road tank vehicles**, manholes of sufficient size to allow internal inspection, cleaning and maintenance of the tanks must be fitted.	As a guide, refer to the Australian Standard 2809 series, which specifies a minimum diameter of 400mm for certain types of cargo. The **operator** will also need to comply with any workplace health and safety requirements in relation to this matter. Contact the Department of Justice and Attorney-General (Division of Workplace Health and Safety Queensland) for advice on 1300 369 915 or via their website www.deir.qld.gov.au/workplace/.
Condition 45 – Outlets All filling and discharge points of **road tank vehicles** must be fitted with suitable leak proof caps and captive chains when **regulated wastes** are in transit.	Road conditions, vibration and heavy braking are some considerations that should be taken into account when determining what is suitable.
Condition 46 – Rear impact protection Each **road tank vehicle** must be provided with an effective bumper and/or barrier system to protect the tank and fittings from rear impact.	As a guide, see Australian Standard 2809.1:2008 — *Road Tank Vehicles for Dangerous Goods – General requirements* for all **road tank vehicles** (or subsequent versions). This has a requirement for rear impact protection to be fitted so that: • the inner surface is not less than 150mm from the tank or any component or fitting; • the width is not less than the width of the tank; and • it is attached to the sub-frame or the chassis of the vehicle or trailer.
Condition 47 – Transfer of waste The transfer of grease trap and/or **oily wastes** as permitted in condition 7 must: a) only occur directly from one **road tank vehicle** to another; b) be conducted using a closed vacuum system; and c) be supervised at all times.	The person supervising the transfer of waste must be trained in the use of a spill response kit. Spill response kits should be easily accessible to allow for a quick response.

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Standard Environmental Conditions	Advisory Notes
Condition 48 – Location of transfer The transfer of grease trap waste and/or **oily wastes** must: a) not take place at a **sensitive place;** b) not take place on a road adjacent to a **sensitive place;** c) not cause odour nuisance at a **sensitive place**. The transfer of grease trap waste and/or oily wastes must take place at least 10 metres up gradient from any **waters** or stormwater drain inlet.	It is an offence under the *Environmental Protection Act 1994* to cause an environmental nuisance and to deposit waste in (or in a place where the waste can move into) **waters**, a roadside gutter or stormwater drainage. This 10 metres is a minimal buffer and does not negate the need to use temporary bunding where there may be a **release** to any **waters** or stormwater drain inlet.
Condition 49 – Temporary bunding Where practicable the transfer of waste must be conducted on a bunded, hardstand area to minimise any **releases** of contaminants to land or water if a spill occurs. Where there is potential for a **release** to **waters** or stormwater during a transfer, temporary bunding and/or containment devices must be used to minimise the potential for **release**.	In particular, bunding/containment devices must be used where the transfer takes place near a roadside gutter or stormwater drainage infrastructure. The type and size of bunding and containment devices should be sufficient to contain a spill and be placed close to the vehicles to minimise the clean up area if a spill occurs. Variables to consider when assessing whether or not there is potential for a **release** to **waters** or stormwater during a transfer include distance from any **waters** or stormwater, slope, surface type and waste viscosity. Examples of where there is no potential for a **release** to **waters** or stormwater include where the transfer is carried out: a) on a bunded hardstand area; b) on a large flat grassed area; or c) in a hollow

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Table 8.8 Operating 36 or more vehicles.

Additional conditions applying to an activity that involves the operation of 36 or more regulated waste **transport vehicles (i.e. ERA 57(2)(c)) under this code.**

Standard Environmental Conditions	Advisory Notes
Condition 50 – Operational management system When an **activity** involves the operation of 36 or more **regulated waste** transport vehicles, an Operational Management System (OMS) must be developed for implementation by the person carrying out the **activity**. The OMS must be implemented on commencement of the **activity** and provide for: a) identification of actual and potential **releases** of all contaminants, their environmental impacts and the actions to be taken to prevent the likelihood of environmental harm; b) establishment and maintenance of procedures to identify the potential for accidents; c) activation of appropriate responses to emergency situations; d) training of staff to achieve awareness of the potential for environmental harm and competence in the application of preventative measures and emergency response procedures; and e) a review of, and continual improvement to, the overall environmental performance of the business operations.	The OMS documents do not need to be submitted to the **department**, but should be kept at the head office address and any transport or operations depots. Staff should be suitably trained in and aware of the requirements and provisions of the OMS. When requested, a copy of the current version of the OMS should be provided to an authorised departmental officer for review when conducting a compliance inspection. Following an incident, the **department** may ask the company to demonstrate how they complied with relevant provisions of the OMS. The company may be able to use the document to demonstrate compliance with their general environmental duty.

Valid for approvals from 9 Nov
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9. Definitions

Note: If a word or phrase is not defined it must be given the meaning it has under the EP Act or its subordinate legislation, as amended from time to time. If a word or phrase is not defined in this code or the EP Act or its subordinate legislation, it has its ordinary meaning.

Activity means the **environmentally relevant activity**, or aspect of the ERA to which this code relates.

ADG Code means the *Australian Code for the Transport of Dangerous Goods by Road and Rail*, 7th edition, or more recent versions as they become available. The ADG Code is available for purchase from Canprint — Telephone: (02) 6293 8383 or from the National Transport Commission website at www.ntc.gov.au

Anniversary day, for a **registration certificate** is defined in Schedule 4 of the EP Act.

Asbestos-containing material means any material, object, product or debris that contains asbestos.

Asbestos waste means all removed **asbestos-containing materials** and disposable items used during the asbestos removal work, such as plastic sheeting used for an enclosure or to cover surfaces in the asbestos work area, disposable coveralls, disposable respirators and rags used for cleaning etc.

Clinical waste means waste that has the potential to cause disease including, for example, the following:

a) animal waste;
b) discarded sharps;
c) human tissue waste; and
d) laboratory waste.

Code of environmental compliance means a code of environmental compliance approved or made under a regulation of the EP Act.

Department means the Department of Environment and Heritage Protection or its successor.

Environmentally relevant activity (ERA) means an activity prescribed by regulation as an ERA.

Friable asbestos means **asbestos-containing material** which, when dry, is or may become crumbled, pulverised or reduced to powder by hand pressure.

Note: This may include asbestos containing materials that have been subjected to conditions, such as weathering, physical damage, water damage etc., that leave them in a state where they meet the above definition.

Incompatible wastes means wastes that are likely to interact and increase the risk to human health and/or the environment when mixed or brought into contact.

Liquescent waste means waste tending toward a liquid state; waste that is not spadeable.

Oily waste means hydrocarbons and water mixtures or emulsions, including oil and water mixtures or emulsions, which is the **regulated waste** item 37 of Schedule 7 of the Environmental Protection Regulation 2008. **Oily waste** does not include mineral oil (item 34) that is not in a mixture or emulsion with water. Vegetable oil (item 63) is also excluded.

Operator means the person carrying out the ERA.

Packaged regulated waste means **regulated waste** in a container with:

a) a capacity of not more than 450 litres; and
b) a nett mass of not more than 400 kilograms.

Registration certificate means a **registration certificate** given under section 73F of the EP Act to the **operator** of an ERA.

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Regulated waste means waste that—

1. a) is commercial or industrial waste, whether or not it has been immobilised or treated; and
   b) is of a type, or contains a constituent of a type, mentioned in schedule 7.
2. Waste prescribed under subsection (1) includes—
   a) for an element—any chemical compound containing the element; and
   b) anything that contains residues of the waste.

Regulatory agency means the agency of a State or Territory that has responsibility for regulating the transport of regulated wastes in that State or Territory.

Related waste means waste that constitutes, or is contaminated with, chemicals, cytotoxic drugs, human body parts, pharmaceutical products or radioactive substances.

Release of a contaminant into the environment, 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.

Rigid vehicle means a vehicle the load carrying area of which is fixed to the vehicle's chassis or frame (as defined in the ADG Code).

Risk phrase means a phrase stated in the National Occupational Health and Safety Commission's (NOHSC's) document entitled *National Code of Practice for the Labelling of Workplace Substances [NOHSC:2012(1994)]*, or more recent versions, that gives information about the substance's hazards.

Road tank vehicle means a truck, trailer or semi-trailer or unit in a road train, incorporating a tank, or having a tank or tanks mounted thereon, either permanently or temporarily (as defined in AS 2809.1–2008 — *Road Tank Vehicles for Dangerous Goods*).

Safety phrase means a phrase stated in National Occupational Health and Safety Commission's document entitled *National Code of Practice for the Labelling of Workplace Substances [NOHSC:2012(1994)]*, or more recent versions, that gives information about:

a) the safe use of the substance; or
b) the personal protective equipment for the substance.

Sensitive place means—

(a) a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel);
(b) a library, childcare centre, kindergarten, school, university or other educational institution;
(c) a medical centre, surgery or hospital; or
(d) a public 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.

Standard environmental conditions for a **code of environmental compliance**, means the **standard environmental conditions** approved for the ERA, or aspect of the ERA, under section 549 of the EP Act.

Ullage means a vapour space which is left above the liquid surface after filling, to permit a degree of thermal expansion of the liquid without loss of cargo (as defined in AS 2809.1–2008 — *Road Tank Vehicles for Dangerous Goods*)

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), and groundwater and any part thereof.

Superseded
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Appendix 1 — Design rules

General rules applicable to rigid-walled waste containers and waste transport vehicles

It must be designed in a way that ensures:

a) it performs the intended function when used in accordance with the manufacturer's instructions; and
b) waste does not spill from it during usual usage or servicing; and
c) it is not adversely affected by environmental conditions, including, for example, heat, humidity or sunlight; and
d) it is not adversely affected by the cleaning procedures specified by the manufacturer.

The inner surfaces must be smooth, free of recesses and be able to be readily cleaned.

The inner surfaces must be designed to allow easy removal of waste.

If it has internal seams, the seams must be fully welded.

The following matters must be taken into account in designing it:

a) the type of waste to be collected, removed or conveyed;
b) the likelihood of abrasion by solid waste;
c) the likelihood of chemical attack;
d) the need to exclude rain or other liquid that may be likely to leach a contaminant from the waste.

It must be constructed of a material that will not undergo a change that impairs its life or performance when it comes into contact with waste.

If it is constructed from plastic, the plastic must be UV resistant for the container's life.

If it is a waste container or waste transport compartment within a waste transport vehicle, it must be constructed:

a) of a durable material that is capable of withstanding normal operating conditions; and
b) in a way that ensures it minimises the entry of insects and vermin.

If it is a container designed for use to transport waste, it must be designed in a way that provides a permanent way of securing the lid so that waste is not released during transportation.

Specific design principles for waste transport vehicles

If the vehicle is to be used for transporting waste in containers, the vehicle design must include a permanent method of securing the containers in an upright position.

If the vehicle incorporates a tanker body, the vehicle must be designed in a way that ensures:

a) each discharge point on the body is protected from possible damage; and
b) each discharge point is capable of being locked in the off position; and
c) it is fitted with signs detailing the direction and movement needed to shut the discharge and loading valves; and
d) effective covers are provided for all manholes; and
e) the manhole covers are capable of being secured at all times when the manholes are not being used; and
f) a storage area is provided for the vehicle's hoses.

Specific design principles for plastic bags used for clinical and related waste

It must have sufficient strength to safely contain the waste it is designed to hold.

It must be designed to allow for secure final closure when the bag is filled to a maximum of two-thirds of its capacity or 6kg, whichever is the lesser.

It must not be designed with closure devices that have sharp protuberances, including, for example, staples.

Valid for approvals from 9 November 2012 to 28 June 2018
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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.