Permit

Environmental Protection Act 1994

Environmental authority EPPR00650713

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

Environmental authority number: EPPR00650713

Environmental authority takes effect on 16 May 2019

Environmental authority holder(s)

Name(s)	Registered address
ORKO FERTILIZERS PTY. LTD.	Snelleman Tom Office 5, 180 Moggill Road TARINGA QLD 4068

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 53 - Composting and soil conditioner manufacturing, Manufacturing, from organic material or organic waste, 200t or more of compost or soil conditioners in a year	Lot 2/RP177322

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

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- 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.

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

Date issued: 16 May 2019

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

Obligations under the Environmental Protection Act 1994

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

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

Legislative requirements and conditions of environmental authority

Legislative requirements

Other permits required

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

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

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

Environmentally relevant activity/activities and location details

Environmentally relevant activity/activities	Location(s)
ERA 53(a) – Processing more than 200 tonnes of organic material in a year, by composting the organic material.	200 Child Road, Wamuran QLD 4512 (Lot 2 on RP177322)

Agency Interest: General	
Condition Number	**Condition**
G1	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.
G2	**Activities** under this environmental authority must be conducted in accordance with the following limitations: 1. An area which provides an impervious barrier to subsoil and **groundwater** must be used for: (a) Receiving, mixing and storing processing materials for the **activity**; (b) Collecting and storing **leachate**. 2. The only regulated waste to be accepted on site for processing is: (a) Feathers; and (b) Poultry waste derived from poultry growth facilities.
G3	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the **activities**.
G4	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.
G5	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.
G6	All chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system**.
G7	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.
G8	When required by the **administering authority**, monitoring must be undertaken in the manner prescribed by the **administering authority** to investigate a complaint of **environmental nuisance** arising from the **activity**. The monitoring results must be provided within 10 business days to the **administering authority** upon its request.
G9	**You** must record the following details of all environmental complaints received: a) date and time the complaint was received; b) name and contact details for the complainant when provided and authorised by the complainant; c) nature of the complaint; d) investigation undertaken; e) conclusions formed; f) actions taken.

G10	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
G11	All reasonable and practicable **measures** must be taken to exclude vectors and pest species to the extent necessary to prevent: 1. **environmental nuisance** to occupiers of neighbouring premises 2. any danger or risk to the health of any persons.
Agency Interest: Air	
Condition Number	**Condition**
A1	Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.
A2	Dust and particulate matter emissions must not exceed the following concentrations at any **sensitive place** or **commercial place**: a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS3580.10.1 (or more recent editions); or b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM_{10}) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 (or more recent editions) or any other method approved by the **administering authority**.
A3	Dust and particulate matter monitoring must: a) be undertaken when requested by the **administering authority**; and b) be carried out at places relevant to the potentially affected **sensitive place** or **commercial place** and at suitable representative reference site(s) unlikely to be affected by the **activity**; and c) be carried out at a sufficient number of monitoring points to enable compliance assessment with Condition A2; and d) take into account: i. locations of dust and particulate sources; and ii. locations of persons or sites potentially affected by any release of dust or particulate matter from the **activity**; and e) be carried out in accordance with the latest edition of the **administering authority's** Air Quality Sampling Manual; and f) be undertaken in conjunction with the recording of precipitation, wind speed and direction in accordance with the requirements of the relevant standards within AS3580.
Agency Interest: Land	
Condition Number	**Condition**
L1	Contaminants must not be released to **land**.
L2	**Land** that has been disturbed for **activities** conducted under this environmental authority must be rehabilitated in a manner such that: 1. the potential for erosion is minimised; 2. the quality of **water**, including seepage, released from the site does not cause environmental harm; 3. the potential for **environmental nuisance** caused by dust is minimised; 4. the water quality of any residual water body does not have potential to cause environmental harm;

<table>
<tr><td></td><td>5. suitable native species of vegetation for the location are established and sustained for earthen surfaces where beneficial for the end land use.</td></tr>
<tr><td colspan="2">Agency Interest: Noise</td></tr>
<tr><td>Condition Number</td><td>Condition</td></tr>
<tr><td>N1</td><td>Other than as permitted within this environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.</td></tr>
<tr><td>N2</td><td>Noise from the activity must not include substantial low frequency noise components and must not exceed the levels identified in Table 1 – Noise Limits and the associated requirements at any nuisance sensitive place or commercial place.

Table 1 – Noise Limits
<table>
<tr><td rowspan="2">Noise level (dB(A))</td><td colspan="3">Monday to Saturday</td><td colspan="3">Sunday and Public Holidays</td></tr>
<tr><td>7am-6pm</td><td>6pm-10pm</td><td>10pm-7am</td><td>9am-6pm</td><td>6pm-10pm</td><td>10pm-9am</td></tr>
<tr><td colspan="7">Noise measured at a sensitive place</td></tr>
<tr><td>$L_{Aeq\ adj,\ 1\ hr}$</td><td>50</td><td>40</td><td>30</td><td>45</td><td>40</td><td>30</td></tr>
<tr><td>$L_{Amax,\ 1\ hr}$</td><td>55</td><td>45</td><td>35</td><td>50</td><td>45</td><td>35</td></tr>
<tr><td colspan="7">Noise measured at a commercial place</td></tr>
<tr><td>$L_{Aeq\ adj,\ 1\ hr}$</td><td>55</td><td>45</td><td>35</td><td>50</td><td>45</td><td>35</td></tr>
<tr><td>$L_{Amax,\ 1\ hr}$</td><td>60</td><td>50</td><td>40</td><td>55</td><td>50</td><td>40</td></tr>
</table>
Associated monitoring requirements
(a) Limits are applied at the sensitive or commercial place.
(b) The location, date and time of monitoring must be recorded.
(c) All monitoring devices must be correctly calibrated and maintained.
(d) Any monitoring must be in accordance with the most recent version of the administering authority's Noise Measurement Manual.
(e) Any monitoring of noise emissions from the activity must be undertaken when the activity is in operation. This includes, but is not limited to:
i. The level and frequency of occurrence of impulsive or tonal noise;
ii. Atmospheric conditions including wind speed and direction; and
iii. Effects due to extraneous factors such as traffic noise.
(f) All monitoring must be performed by an appropriately qualified person(s).</td></tr>
<tr><td colspan="2">Agency Interest: Waste</td></tr>
<tr><td>Condition Number</td><td>Condition</td></tr>
<tr><td>W1</td><td>All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.</td></tr>
<tr><td>W2</td><td>Incompatible wastes must not be mixed in the same container or waste storage area.</td></tr>
</table>

Agency Interest: Water	
Condition Number	**Condition**
WT1	Contaminants must not be released to any **waters**.
WT2	The stormwater runoff from **disturbed areas**, generated by a storm event up to and including a **24 hour storm event with an average recurrence interval of 1 in 10 years** must be retained on site or managed to remove contaminants before released offsite.

Definitions

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

24 hour storm event with an average recurrence interval of 1 in 10 years means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 10 years. For example, an Intensity-Frequency-Duration table for a 24 hour duration event with an average recurrence interval of 1 in 10 years, identifies a rainfall intensity of 8.2mm/hour. The rainfall depth for this event is therefore 24 hour x 8.2mm/hour = 196.8mm.

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

Administering authority means the Department of Environment and Science, or its predecessor or its successor.

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 the *Environmental Protection Act 1994*.

Incompatible waste means waste that may chemically react when:

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

$L_{Aeq\ adj,T}$ means the adjusted A weighted equivalent continuous sound pressure level measures on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the **activity** is causing a steady state noise, and no shorter than one hour when the approved **activity** is causing an intermittent noise.

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.

Land does not include **waters**.

Max L_{pA} means the highest noise level during a specified time period or during a specified number of events expressed as the absolute maximum level of the root-mean-square (r.m.s.) sound pressure level using time weighting 'F'.

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

NATA means National Association of Testing Authorities.

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

Release of a contaminant into the environment means to:

(a) deposit, discharge, emit or disturb the contaminant
(b) cause or allow the contaminant to be deposited, discharged, emitted or disturbed
(c) fail to prevent the contaminant from being deposited, discharged, emitted or disturbed
(d) allow the contaminant to escape
(e) fail to prevent the contaminant from escaping.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

Sensitive place includes –

a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential approved place; or
b) a kindergarten, school, university or other educational institution; or
c) a medical centre or hospital; or
d) a medical centre or hospital; or
e) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
f) a park or gardens;
g) and includes a place within the curtilage of such a place reasonably used by persons at that place.

Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurements, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).

Waters included river, stream, lake, lagoon pond, swamp, wetland, unconfined surface water, unconfined water natural or artificial watercourse, bed and bank of any waters, darns, 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.

END OF ENVIRONMENTAL AUTHORITY