Permit

Environmental Protection Act 1994

Environmental authority EPPR00768013

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

Environmental authority number: EPPR00768013

Environmental authority takes effect on 07 March 2018

Environmental authority holder(s)

Name(s)	Registered address
KATEK AGRICULTURAL AND HORTICULTURAL PRODUCTS PTY LTD	250 Hayes Road LOWER WONGA QLD 4570 Australia

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 1/RP186174

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.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

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.

Simone Ventura
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

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

Date issued: 07 March 2018

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)

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

Conditions of environmental authority

Agency Interest: General	
Condition number	**Condition**
G1	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the activities.
G2	Any breach of a condition of this environmental authority must be reported to the **administering authority** as soon as practicable within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions undertaken.
G3	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
G4	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.
G5	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.
G6	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.
G7	The following details of all environmental complaints received must be recorded: 1. date and time the complaint was received; 2. name and contact details of the complainant when provided and authorised by the complainant; 3. nature of the complaint; 4. investigation undertaken; 5. conclusions formed; and 6. actions taken.
G8	The **activity** must be undertaken in accordance with written procedures that: 1. identify potential risks to the environment from the **activity** during routine operations, closure and an emergency; 2. establish and maintain control **measures** that minimise the potential for environmental harm; 3. ensure plant, equipment and **measures** are maintained in a proper and effective condition; 4. ensure plant, equipment and **measures** are operated in a proper and effective manner;

<table>
<tr><td></td><td>5. ensure that staff are trained in and aware of their obligations under the Environmental Protection Act 1994; and
6. ensure that reviews of environmental performance are undertaken at least annually.</td></tr>
<tr><td>G9</td><td>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; and
2. any danger or risk to the health of any persons.</td></tr>
<tr><td colspan="2">Agency Interest: Air</td></tr>
<tr><td>A1</td><td>Odours or airborne contaminants must not cause environmental nuisance to any sensitive or commercial place.</td></tr>
<tr><td colspan="2">Agency Interest: Water</td></tr>
<tr><td>WT1</td><td>The stormwater runoff from disturbed areas, generated by a storm event up to and including a 24 hour storm event with an average recurrence interval of one-in-ten years must be retained on site and can only be released after the event where:
1. beneficial reuse on site is not viable; and
2. a release is required to maintain the required stormwater retention capacity; and
3. there are no contaminants present or at concentrations which may cause environmental harm.</td></tr>
<tr><td colspan="2">Agency Interest: Noise</td></tr>
<tr><td>N1</td><td>Other than permitted within this environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive or commercial place.</td></tr>
<tr><td>N2</td><td>The emission of noise from each of the licensed places must not result in levels greater than those specified in Schedule D – Table 1.
Schedule D - Table 1
<table>
<tr><th>Time period</th><th>Noise level at a 'Noise sensitive place' measured as the Adjusted Maximum Sound Pressure Level $L_{A,\ max\ adj\ T}$ Note 1</th></tr>
<tr><td>7am - 6pm</td><td>Background noise level plus 5 dB(A)</td></tr>
<tr><td>6pm - 10pm</td><td>Background noise level plus 5 dB(A)</td></tr>
<tr><td>10pm - 7am</td><td>Background noise level plus 3 dB(A)</td></tr>
<tr><th>Time period</th><th>Noise level at a 'Commercial place' measured as the Adjusted Maximum Sound Pressure Level $L_{A,\ max\ adj\ T}$</th></tr>
<tr><td>7am - 6pm</td><td>Background noise level plus 10 dB(A)</td></tr>
<tr><td>6pm - 10pm</td><td>Background noise level plus 10 dB(A)</td></tr>
<tr><td>10pm - 7am</td><td>Background noise level plus 8 dB(A)</td></tr>
</table>
Note 1: $L_{A\ 10,\ adj,\ 15\ mins}$ levels may be substituted for $L_{Amax,\ adj,\ 15\ mins}$ levels if evidence is provided that $L_{A\ 10,\ adj,\ 15\ mins}$ levels are representative of component noise levels from source(s)/premises under investigation.</td></tr>
</table>

Agency Interest: Waste Management	
WM1	Activities conducted under this environmental authority must be conducted in accordance with the following limitations: 1. The only waste materials permitted to be accepted are **organic waste** and **worm castings suitable for unrestricted use**.
Agency Interest: Land	
L1	The only contaminants released to land are: (i) treated water from the leachate and contaminated stormwater collection ponds; and (ii) organic waste products resulting from the manufacture of soil conditioners.
L2	The irrigation of treated water and/or application of organic waste products must be carried out in a manner such that: - vegetation is not damaged; - soil erosion and soil structure damage is avoided; - there is no surface ponding of effluent; - percolation of effluent beyond the plant root zone is minimised; - the capacity of the land to assimilate nitrogen, phosphorus, salts, organic matter as measured by oxygen demand and water is not exceeded; and - the quality of groundwater is not adversely affected.
L3	An area which provides an impervious barrier to subsoil and groundwater must be used for: 1. receiving, mixing and storing processing materials for the activity; and 2. collecting and storing leachate.

Definitions

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

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

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

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

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

Commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

Disturbed areas includes areas:
1. that are susceptible to erosion;
2. that are contaminated by the activity; and/or
3. upon which stockpiles of soil or other materials are located.

Dust sensitive place means -
- a dwelling, mobile home or caravan park, residential marina or other residential place;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area;
- a park or gardens; or
- a place used as an office or for business or commercial purposes.

  and includes the curtilage of any such place.

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

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

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

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

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

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

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

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

Noise sensitive place means -
- a dwelling, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area; or
- a park or gardens.

  and includes the curtilage of such place.

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

Organic waste as defined in Schedule 2, Part 12, Section 53 of the Environmental Protection Regulation 2008.

Prescribed contaminants means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.

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.

Sediment storage zone means the storage available in the bottom section of the stormwater basin designed to retain settled sediments.

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 park or gardens; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

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.

Worm castings suitable for unrestricted use means the final product resulting from the processing of organic waste utilising earthworms, which is of a standard suitable for “unrestricted” land application uses as specified in the *Environmental Guidelines, Use and Disposal of Biosolids Products* (NSW Environmental Protection Authority, October 1997), when assessed in accordance with these guidelines. Unrestricted uses include:

- home lawns and gardens;
- public contact sites;
- urban landscaping;
- agriculture;
- forestry; and
- soil and site rehabilitation.

END OF ENVIRONMENTAL AUTHORITY