Permit

Environmental Protection Act 1994

Environmental authority EPPR00792713

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

Environmental authority number: EPPR00792713

Environmental authority takes effect on 16 July 2020

The anniversary day of this environmental authority remains **7 October**. The payment of the annual fee will be due each year on this day. An annual return will be due each year on **01 March.**

Environmental authority holder(s)

Environmental Authority; eppr00792713; Environmental Authority issued to ENERGEX LIMITED;Prescribed ERA; Industry an

Name(s)	Registered address
ENERGEX LIMITED	420 Flinders St TOWNSVILLE CITY QLD 4810 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 62 - Resource recovery and transfer facility operation 1: Operating a facility for receiving and sorting, dismantling, baling or temporarily storing- (c) category 2 regulated waste	Lot 21 on SP231848
ERA 62 - Resource recovery and transfer facility operation 1: Operating a facility for receiving and sorting, dismantling, baling or temporarily storing- (d) category 1 regulated waste	Lot 21 on SP231848
ERA 62 - Resource recovery and transfer facility operation 1: Operating a facility for receiving and sorting, dismantling, baling or temporarily storing- (b) general waste	Lot 21 on SP231848

Queensland Government

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.

Sam Smith
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 16 July 2020

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.

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

Environmentally relevant activity	Location/s
ERA 62(1) operating a facility for receiving and sorting, dismantling, baling or temporarily storing— (b) general waste; and (c) category 2 regulated waste; and (d) category 1 regulated waste	Lot 21 Plan SP231848 120 Schneider Road, Eagle Farm

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

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	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.
G6	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; and 2. establish and maintain control **measures** that minimise the potential for **environmental harm**; and

	3. ensure plant, equipment and **measures** are maintained in a proper and effective condition; and 4. ensure plant, equipment and **measures** are operated in a proper and effective manner; and 5. ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994*; and 6. ensure that reviews of environmental performance are undertaken at least annually.
G7	**You** must record the following details for all environmental complaints received: 1. date and time complaint was received; and 2. name and contact details of the complainant when provided and authorised by the complainant; and 3. nature of the complaint; and 4. investigations undertaken; and 5. conclusions formed; and 6. actions taken.
G8	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.
Agency interest: Air	
Condition number	**Condition**
A1	Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**
Agency interest: Water	
Condition number	**Condition**
WT1	Contaminants must not be released from the site to any **waters**.
WT2	All stormwater that leaves the site via stormwater outlets is to be treated by the oil/water separator prior to being discharged into the receiving environment.
WT3	To demonstrate compliance with condition (W1), monitoring of the quality of stormwater discharged from the oil/water separator must be conducted in accordance with *Table 2 - Stormwater Quality Monitoring*. Records of the stormwater monitoring release results must be kept in accordance with condition (G4). **Table 2 -Stormwater Quality Monitoring**

Parameters	Frequency	Location
Total Petroleum Hydrocarbons (TPHs)	Biannually (when releasing)	Discharge from the humeceptor
Polychlorinated Biphenyls (PCBs)	Biannually (when releasing) and in the instance of a spill of transformer oil in the catchment, during the first rain event after that spill (when releasing).	Discharge from the humeceptor

<table>
<tr><th colspan="2">Agency interest: Noise</th></tr>
<tr><th>Condition number</th><th>Condition</th></tr>
<tr><td>N1</td><td>Noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.</td></tr>
<tr><td>N2</td><td>All noise from activities must not exceed the levels specified in Table 1 – Noise limits at any nuisance sensitive or commercial place.
Table 1 – Noise limits at any nuisance sensitive or commercial place
<table>
<tr><th rowspan="2">Noise level dB(A) measured as</th><th colspan="3">Monday to Saturday</th><th colspan="3">Sundays and public holidays</th></tr>
<tr><th>7am – 6pm</th><th>6pm – 10pm</th><th>10pm – 7am</th><th>9am – 6pm</th><th>6pm – 10pm</th><th>10pm - 9am</th></tr>
<tr><td></td><td colspan="6">Noise measured at a “Noise sensitive place’</td></tr>
<tr><td>$L_{A10,\ adj,10\ mins}$</td><td>Bkg + 5</td><td>Bkg + 5</td><td>Bkg + 0</td><td>Bkg + 5</td><td>Bkg + 5</td><td>Bkg + 0</td></tr>
<tr><td>$L_{A1,\ adj,10\ mins}$</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td></tr>
<tr><td></td><td colspan="6">Noise measured at a “Commercial place’</td></tr>
<tr><td>$L_{A10,\ adj,10\ mins}$</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td></tr>
<tr><td>$L_{A1\ ,\ adj,10\ mins}$</td><td>Bkg + 15</td><td>Bkg + 15</td><td>Bkg + 10</td><td>Bkg + 15</td><td>Bkg + 15</td><td>Bkg + 10</td></tr>
</table>
*Bkg refers to background noise level</td></tr>
<tr><th colspan="2">Agency interest: Waste</th></tr>
<tr><th>Condition number</th><th>Condition</th></tr>
<tr><td>W1</td><td>Only those waste streams listed in Table 1 – Permitted waste streams can be received at the site.

Table 1 – Permitted waste streams

Category 1 regulated waste
Transformer oil containing polychlorinated biphenyls (PCB’s)
Cadmium batteries
SF6 gas stored in pressurised gas cylinders and SF6 by-products including equipment contaminated with SF6
Mercury & sodium vapour lamps and mercury switches
Nickel cadmium and nickel metal hydride batteries</td></tr>
</table>

	• Alkaline batteries **Category 2 regulated waste** • Asbestos items - Switchboard panels, reclaimed meter boards, conduits, pits, gaskets, washers & heat shields, brake pads in various HV electrical apparatus. • Lead batteries • Grease, non-PCB used transformer oil, motor/hydraulic/compressor oils • Oily water recovered from stormwater treatment devices, bunded areas & bunded pallets **Scrap metal and general waste – non-regulated** • Non putrescible wastes generated by electrical network maintenance activities.	
W2	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.	
W3	In addition to the requirements of condition W2, batteries and items containing waste oil or contaminated with waste oil must be stored undercover or in closed containers.	
W4	All waste gas cylinders must be monitored for gas releases upon receipt at the facility, and corrective action taken to prevent further gas releases where releases are detected.	
W5	Any consolidation of **liquid** wastes must be conducted in a roofed area, within a secondary containment system.	
W6	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.	
W7	**Incompatible wastes** must not be mixed in the same container or waste storage area.	
Agency interest: Land		
Condition		
L1	Contaminants must not be released to land.	

Definitions

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.

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 the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

Background noise level means either:

- $L_{A90,\ T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period not less than 15 minutes, using Fast response measured in the absence of the noise under investigation, or
- $L_{Abg,\ T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.

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.

Environmental harm as defined in Chapter 1 of the *Environmental Protection Act 1994*.

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

Incompatible waste means waste that may chemically react when:
1. placed in proximity to other wastes; and/or
2. mixed with other wastes.

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.

$L_{A\ 10,\ adj,\ 10\ mins}$ 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.

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

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

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:
1. deposit, discharge, emit or disturb the contaminant; and
2. cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
3. fail to prevent the contaminant from being deposited, discharged emitted or disturbed; and
4. allow the contaminant to escape; and
5. fail to prevent the contaminant from escaping.

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 thoroughfare, park or gardens; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019.

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.