Permit

Environmental Protection Act 1994

Environmental authority EPPR00812813

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

Environmental authority number: EPPR00812813

Environmental authority takes effect on the day it is signed by the delegate.

The anniversary date of this environmental authority remains the 12 November. Payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name(s)	Registered address
Burleigh Recycling Pty Ltd	62 Spencer Road, Nerang Qld 4211

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 54 Mechanical waste reprocessing (2)(b) - Operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste - more than 5,000t but not more than 10,000t ERA 16 Extraction and Screening (3)(a) - Screening, in a year, the following quantity of material - 5,000t to 100,000t	Mobile and temporary in the State of Queensland

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).

Queensland Government

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

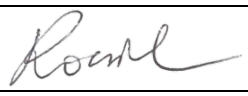
c) otherwise – on the day the authority is issued.

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.

The anniversary day of this environmental authority is the same day each year as the effective date. The payment of the annual fee will be due each year on this day.

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.

	28/10/2021
Signature	Date

Dorota Rosiak
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
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. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

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/activities	Location(s)
ERA 54 Mechanical waste reprocessing (2)(b) - Operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste - more than 5,000t but not more than 10,000t ERA 16 Extraction and Screening (3)(a) - Screening, in a year, the following quantity of material - 5,000t to 100,000t	Mobile and temporary in the State of Queensland

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

General Conditions	
Condition number	**Condition**
G1	**Prevent and/or minimise likelihood of environmental harm** In carrying out an ERA to which this environmental authority relates, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused.
G2	**Maintenance of Measures, Plant and Equipment** The operator of an ERA to which this environmental authority relates must: (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; (b) maintain such measures, plant and equipment in a proper and efficient condition; and (c) operate such measures, plant and equipment in a proper and efficient manner.
G3	**Site Based Management Plan** From commencement of the ERA to which this environmental authority relates, at each 'new' location a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must address the following matters: (a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals; (b) Identification of environmental issues and potential impacts; (c) Control measures for routine operations to minimise likelihood of environmental harm; (d) Contingency plans and emergency procedures for non-routine situations; (e) Organisational structure and responsibility;

	(f) Effective communication; (g) Monitoring of contaminant releases; (h) Conducting environmental impact assessments; (i) Staff training; (j) Record keeping; (k) Periodic review of environmental performance and continual improvement.
G4	The site-based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
G5	**Records** A record must be kept detailing the dates and locations at which ERA 16 and ERA 54 are being carried out.
G6	A record must be kept of the volumes of material (clay, gravel, loam, rock, sand and other substances found in the earth) screened at each location.
G7	The records required to be kept as a requirement of conditions **G5** and **G6** must be kept for 3 years and made available to the administering authority within 2 days of being requested.
G8	**Notification** The operator of an ERA to which this environmental authority relates must alert the **administering authority** as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
G9	**Information about any release of contaminants or spills** A written notice detailing the following information must be provided to the **administering authority** within 14 days of any advice provided in accordance with condition G8: (i) The name of the operator, including their approval / registration number; (ii) The name and telephone number of a designated contact person; (iii) Quantity and substance released; (iv) Vehicle and registration details; (v) Person/s involved (driver and any others); (vi) The location and time of the release; (vii) The suspected cause of the release; (viii) A description of the effects of the release; (ix) The results of any sampling performed in relation to the release; (x) Actions taken to mitigate any environmental harm caused by the release; and (xi) Proposed actions to prevent a recurrence of the release.
G10	**Spill Kit** An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals

	associated with the ERA must be readily available at any site at which the mobile ERA is operating.
G11	**Spill Kit Training** Anyone operating under this environmental authority must be trained in the use of the spill kit.
G12	**Feedstock for the purposes of carrying out ERA 54** The only waste feedstock that may be crushed (milled, ground or screened) for the purposes of carrying out ERA 54 is general waste.
G13	**Exception reporting** The registered operator of an ERA to which an environmental authority relates must, as soon as practicable but not more than six (6) weeks following any environmental monitoring performed in relation to an emergency or incident, provide written advice of the results of any environmental monitoring performed.
G14	The written notification required by environmental authority condition number **G13** above must include: (i) the full analysis results; and (ii) details of investigation or corrective actions taken; and (iii) any subsequent analysis.
G15	**Complaint Response** The operator of the ERA must record the following details for all complaints received and provide this information to the **administering authority** on request: (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.
G16	The complaint record required by environmental authority condition **G15** must be maintained for a period of not less than three (3) years.
Noise	
Condition number	**Condition**
N1	**Noise Nuisance** Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.
N2	**Noise Monitoring** When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:

	- LA 10, adj, 10 mins - LA 1, adj, 10 mins - the level and frequency of occurrence of impulsive or tonal noise; - atmospheric conditions including wind speed and direction; - effects due to extraneous factors such as traffic noise; and - location, date and time of recording.
N3	The method of measurement and reporting of noise levels must comply with the latest edition of the **administering authority's** Noise Measurement Manual.
Air	
Condition number	**Condition**
A1	**Nuisance** The release of noxious or offensive odours, dust and/or particulate matter or any other noxious or offensive airborne contaminants resulting from the carrying out of the environmentally relevant activities must not cause a nuisance at any nuisance sensitive or commercial place.
A2	All material stockpiles must be maintained to minimise wind-blown emissions to the atmosphere from these sources.
Land	
Condition number	**Condition**
L1	**Preventing Contaminant Release to Land** Contaminants must not be released to land.
L2	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm. *NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.*
L3	Any bunding required to accord with *AS1940 - Storage and Handling of Flammable and Combustible Liquids* must be impermeable to the materials held within the bund.
Water	
Condition number	**Condition**
W1	**Release to Waters** Contaminants must not be released from the site to any waters or the bed and banks of any waters.
W2	**Stormwater Management** There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.

Waste	
Condition number	**Condition**
W1	**General** Except as otherwise provided by the development conditions, the registered operator of the ERA(s) must not: (a) Allow waste to burn or be burned at any premises to which this environmental authority relates; nor (b) Remove waste from any premises to which this environmental authority relates and burn such waste elsewhere.

Definitions

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

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

Audible noise means noise defined as audible noise in section 440L of the *Environmental Protection Act 1994*. Section 440L:

1. Audible noise means noise that can be clearly heard by an individual who is an occupier of a building.
2. For subsection (1), an individual is taken to be able to clearly hear a noise if he or she can hear the noise from the part of the building occupied by the individual that is most exposed to the noise.

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

Dwelling means any of the following structures or vehicles that is principally used as a residence —

(a) a house, unit, motel, nursing home or other building or part of a building;

(b) a caravan, mobile home or other vehicle or structure on land;

(c) a watercraft in a marina.

Environmentally relevant activity means an environmentally relevant activity as defined in Schedule 2 of the Environmental Protection Regulation 2019.

ERA means an environmentally relevant activity.

General waste means waste other than regulated waste.

Intrusive noise means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration —

(a) is clearly audible to, or can be felt by, an individual; and

(b) annoys the individual.

(c) In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 — 1997 Acoustics — Description and Measurement of Environmental Noise Part 2 —Application to Specific Situations.

$LA_{10,\ adj,\ 10\ mins}$ 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.

$LA_{1,\ adj,\ 10\ mins}$ 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.

Land in the "land schedule" of this document means land excluding waters and the atmosphere. "material" includes clay, gravel, loam, rock, sand and other substances found in the earth.

Mobile and temporary environmentally relevant activity means an activity as defined in Schedule 4 of the *Environmental Protection Act 1994*.

Noxious means harmful or injurious to health or physical well-being **nuisance sensitive place** includes -

(a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or

(b) a motel, hotel or hostel; or

(c) a kindergarten, school, university or other educational institution; 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 public thoroughfare, park or gardens; or

(g) 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.

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

Regulated waste means non-domestic waste mentioned in Schedule 9 of the Environmental Protection Regulation 2019 (whether or not it has been treated or immobilised), and includes -

(a) for an element - any chemical compound containing the element; and

(b) anything that has contained the waste.

Road reserve means a road reserve under the *Land Act 1994.*

Screening includes washing, crushing, grinding, milling, sizing or separating material.

Site means land or tidal waters on or in which it is proposed to carry out the development approved under this development approval.

Waste includes anything that is left over, or an unwanted by-product, from an industrial, commercial, domestic or other activity; or surplus to the industrial, commercial, domestic or other activity generating the waste. Waste can be a gas, liquid or solid or energy or a combination of any of them. A thing can be a waste whether or not it is of value.

Watercourse means a river, creek or stream in which water flows permanently or intermittently-

- in a natural channel, whether artificially improved or not; or
- in an artificial channel that has changed the course of the watercourse.

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.

Works or **operation** means the development approved under this environmental authority.

END OF ENVIRONMENTAL AUTHORITY