Permit

Environmental Protection Act 1994

Environmental authority EPPR02650014

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

Environmental authority number: EPPR02650014

Environmental authority takes effect on the day the authority is issued.

The anniversary date of this environmental authority remains 10 December.

Payment of the annual fee will be due each year on the anniversary day.

Environmental authority holder

Name	Registered address
Smit Lamnalco Towage (Australia) Pty Ltd	8 Leo Zussino Drive, GLADSTONE QLD 4680 Australia

Environmentally relevant activity and location details

Environmentally relevant activity	Location
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	231 Alf O'Rourke Drive, CALLEMONDAH QLD 4680 - Part of Lot 210 on Plan SP120888, abutting Lot 212 Plan SP239707, as defined in *Schedule 1 - Approved Plans, Plan of Lease MAAG in Lot 210 on SP120888*

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.

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

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

Date issued: 26 February 2021

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 Natural Resources, Mines and Energy (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

Location: 231 Alf O'Rourke Drive, CALLEMONDAH QLD 4680 - Part of Lot 210 on Plan SP120888, abutting Lot 212 Plan SP239707, as defined in *Schedule 1 - Approved Plans, Plan of Lease MAAG in Lot 210 on SP120888*

Relevant Activities: 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

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**
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	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 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.
G3	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.
G4	Chemicals, fuels and liquid wastes in containers of greater than 15 litres must be stored within a **secondary containment system.**
G5	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.
G6	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.
G7	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.

Agency Interest: Air	
A1	Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.
A2	Contaminants must not be released to air from any point source.
Agency Interest: Water	
WT1	Contaminants must not be released to any **waters**.
Agency Interest: Noise	
N1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**
Agency Interest: Land	
L1	Contaminants must not be released to **land**.
Agency Interest: Waste	
W1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
W2	**Incompatible wastes** must not be mixed in the same container or waste storage area.

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.

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 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.

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 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.

Land does not include **waters**.

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 Celsuis 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 Associated 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.

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 thoroughfare, park or garden; 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.

You means the holder of the environmental authority.

Schedule 1 – Approved Plans

Plan of Lease MAAG in Lot 210 on SP120888

Note: This environmental authority applies only to the area labelled *LEASE MAAG* in the plan.

