

Permit

Environmental Protection Act 1994

Environmental authority EPPR04103316

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

Environmental authority number: EPPR04103316

Environmental authority takes effect on the day SDA-0616-031286 is granted.

Environmental authority holder(s)

Name(s)	Registered address
Bio-Recycle Australia Pty Ltd	48 Industry Road, VINEYARD NSW 2765

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 33 – Crushing, milling, grinding or screening 5,000t year	26 Memorial Drive SWANBANK QLD 4306 (Lot 2 on SP225229)
ERA 62 - Waste transfer station operation >30t or 30m ³ day	
ERA 16 (2b) – Extractive - >100,000 but <1,000,000t year	
ERA 16 (3b) – Screening - >100,000 but <1,000,000t year	

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)

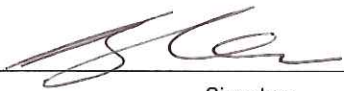
that is causing, or is reasonably likely to cause, serious or material environmental harm.

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

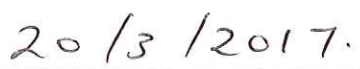
Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- 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- one the day the authority is issued.



Signature

Kelly Gleeson
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994



Date

Enquiries:
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Protection
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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)

Conditions of environmental authority

Part 1 - All ERAs	
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 and any subsequent actions.
G2	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by activities.
G3	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 conditions; 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 <i>Environmental Protection Act 1994</i>; and f) ensure that reviews of environmental performance are undertaken at least annually.
G4	All records must be kept for a period for at least five years and provided to the administering authority upon request.

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	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.
G7	When prescribed 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
G8	You must record the following details for all environmental complaints received: 1. date and time complaint was received 2. name and contact details of the complainant 3. nature of the complaint 4. investigations undertaken 5. conclusions formed 6. actions taken.
G9	Chemicals and fuels in containers greater than 15 litres must be stored within a secondary containment system .
G10	The location and layout of the site and activities must conform to the following: 1. the plan titled Site Plant – 26 Memorial Drive, Swanbank, Plan Number 15185_170310_SITE PLAN, Revision J, Dated 10/03/2017 in Attachment 1.
Agency interest: Air	
Condition number	Condition
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.
A3	Dust and particulate matter emissions must not exceed the following concentrations at any sensitive place or commercial place : a) Dust and particulate matter of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions), or b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM¹⁰) suspended in the atmosphere of 50micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions) or any other method approved by the administering authority.

A4	The person undertaking the activity to which this environmental authority relates must install a monitoring station, in accordance with Australian Standard AS2923-1987 (Ambient air – guide for measurement of horizontal wind for air quality applications) (or later standard), to record and log the following parameters: 1. Barometric pressure; 2. Rainfall; 3. Relative humidity; 4. Temperature; and 5. Wind speed direction.
A5	The following materials must not be used for dust suppression: 1. Leachate; 2. Landfill gas condensate; 3. Waste oil; or 4. Stormwater that has become contaminated following contact with waste.
Agency interest: Water	
Condition number	Condition
WT1	Other than as permitted within this environmental authority, contaminants must not be released to waters .
WT3	The stormwater runoff from disturbed areas, generated by (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; 2. a release is required to maintain the required stormwater retention capacity; and 3. where permitted under condition WT2.

WT4

The release of stormwater runoff from the sediment and detention basin must comply with each of the quality characteristics specified in Table 1 – Water Quality Release Limits at the sampling and in-situ monitoring point described as W1 in Table 1 – Water Quality Release Limits.

Table 1 – Water Quality Release Limits

Release Point W1 - Description (GDA94 decimal degrees)		Quality Characteristic	Release Limit	Limit Type	Monitoring Frequency
E:481898.817	N:6940029.549		6.5-8.5	Range	Within 24 hours of release and when no sample has been taken within the same rainfall event
		Dissolved Oxygen	4 mg/L	Minimum	Within 24 hours of release and when no sample has been taken within the same rainfall event
		Electrical Conductivity	1,500 µS/cm	Maximum	Within 24 hours of release and when no sample has been taken within the same rainfall event
		Suspended Solids	50 mg/L	Maximum	In the event of a release

WT5

The person undertaking the **activity** to which environmental authority relates must undertake monitoring of the quality characteristics, at the sampling and in-situ monitoring frequently specified in Table 1 – Water Quality Release Limits.

WT6

The release of water permitted under WT4 must not contain any other properties at a concentration capable of causing environmental harm.

WT7

The release to waters permitted under WT4 must not produce any slick or other visible evidence of oil or grease, scum, litter or other visually objectionable matter.

Agency interest: Noise	
Condition number	Condition
N1	Noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place .
Agency interest: Land	
Condition number	Condition
L1	Contaminants must not be released to land .
Agency interest: Waste	
Condition number	Condition
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.
Part 2 – ERA 62 and ERA 33	
Agency interest: General	
Condition number	Condition
G1	Activities conducted under this environmental authority must not be conducted contrary to any of the following limitations: The only wastes to be accepted at the approved place are construction and demolition waste and co-mingled green waste.

Part 3 – ERA 16 (2b)	
Agency interest: General	
Condition number	Condition
G1	Activities conducted under this environmental authority must not be conducted contrary to any of the following limitations: - The only materials to be extracted at the approved place are overburden comprising of shale, mudstone, sandstone, coalstone, chitters, clay and sand. - The person undertaking the activity to which this environmental authority relates may, under this environmental authority, extract a maximum of 600,000t of overburden.
G2	This environmental authority ceases once a maximum of 600,000t of overburden has been extracted.
G3	The person undertaking the activity to which this environmental authority relates must keep and implement a Spontaneous Combustion Management Plan (SCMP) that provides for the management of the actual and potential environmental impacts resulting from spontaneous combustion within the site to which this approval relates, and includes the following: - Thermal imagery and temperature measurements to determine and map the extent of heating at the site; - The differentiation and demarcation of “hot” and “cold” areas at the site; - Procedures to assess for the presence of heat and unstable conditions before extraction activities and vehicle movement commence in an area of the site; - Sufficient resources available on site for the management of spontaneous combustion at all times; - Procedures for the management of spontaneous combustion to prevent migration into “cold” areas including the reinstatement of the barrier trench as the height of the overburden stockpile reduces; - Procedures for the management of stockpiling and treating “hot” material; - Relevant statutory requirements; - Reporting procedures to the relevant authorities; - The functions and responsibilities of persons engaged in the activity (either by name or position) at the approved place; - The measures, equipment and resources that exist on the site for the management of spontaneous combustion; - A maintenance protocol for the equipment referred to in paragraph (9); - A reporting mechanism for corrective actions.

G4	Stockpiles of extracted materials must be a maximum width of ten metres and maximum height of four metres.
Agency interest: Land	
Condition number	Condition
L1	Erosion and sediment measures must be implemented and maintained at the place to which this is environmental authority relates.
L2	The person undertaking the activity to which this environmental authority relates must keep and implement an Extraction and Rehabilitation Plan (ERP) that provides for progressive extraction and rehabilitation activities at the place to which this environmental authority relates, and including the following: 1. The period over which the ERP applies; 2. A plan illustrating where all current and proposed activities are to be carried out at the approved place including undisturbed, disturbed, stockpile, loading and rehabilitation areas; 3. Surface area of disturbed areas; 4. Details of extraction depths and methods to be applied; 5. Extraction rate including any changes; 6. Extraction not compromising the ability to rehabilitate disturbed areas to meet final landform design or requirements under this approval or other approvals; 7. Identification of soil characteristics, soil analysis, and soil separation for rehabilitation; 8. Design objectives for rehabilitation of disturbed areas taking into consideration surrounding undisturbed areas and future land use(s) for the site; 9. Details of rehabilitation methods to be applied to disturbed areas; 10. Landform design criteria and design plan including end of extraction design and is consistent with the proposed future land use(s); 11. Identify success criteria for the disturbed areas including revegetation success rate and final landform; 12. Plans to revegetate areas and corridors; 13. Describe rehabilitation indicators and the monitoring program to be used; 14. Develop a contingency plan for land disturbed or proposed to be disturbed at the approved place; and 15. The status of rehabilitation progress occurring at the approved place.

L3	The ERP period must not be more than two years.
L4	The person undertaking the activity to which this environmental authority relates must review the ERP annually to ensure that it remains current, is consistent with the conditions of this environmental authority, and reflects contemporary practice at the approved place , and a record of the review kept at the approved place .
L5	Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of extraction have commenced.
L6	Rehabilitation must commence on those areas disturbed by extraction activities, apart from those areas currently being utilised for extraction activities, within three months after the completion of extraction activities. Rehabilitation of disturbed areas includes slopes, borrow pits, stockpile storage areas and sedimentation basins in a manner such that: 1. All disturbed land is reshaped to a stable landform and is not subject to slumping; 2. The potential for erosion is minimised; 3. The surface drainage lines are re-established; 4. Suitable topsoil is reinstated on areas where revegetation is possible; 5. Suitable vegetation species and density of cover are established which is consistent with the surrounding undisturbed areas or the site's proposed future land use; 6. The likelihood of environmental nuisance being caused by release of dust is minimised; and 7. Infrastructure is removed from the site.
L7	Maintenance of rehabilitated areas must take place to ensure: 1. Erosion control measures remain effective; 2. Plants show growth; 3. Any weed infestations are removed and prevented from recurring; 4. Plants that not taken, dies or have become diseased are removed and disposed of appropriately and replaced as soon as practicable; 5. Significant plant losses are examined for possible causes; and 6. Infrastructure is removed from the site.
Agency interest: Noise	
Condition number	Condition
N1	Blasting or the generation of substantial low frequency noise is not permitted

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 this environmental authority relates.

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

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

Approved place means the location and lots on plan to which this environmental authority relates.

Background means noise, measured in the absence of the noise under investigation, as $L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90% of the time period of not less than 15 minutes, using Fast response.

Blasting is the use of explosives to fracture:

- rock, coal and other minerals for later recovery; or
- structural components or other items to facilitate removal from a site or for reuse.

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.

Construction and demolition waste means

1. masonry and rubble waste including bricks, pavers, ceramics and timber; and
2. concrete (including embedded steel reinforcing rods).

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**.

$L_{Aeq, adj, T}$ 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 intermittent noise.

L_{AmaxT} means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.

$L_{A90, adj, T}$ means the A-weighted sound pressure level, obtained using time-weighting 'F' that is exceeded for 90% of the measuring period (T).

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

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 200Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55dB(Z).

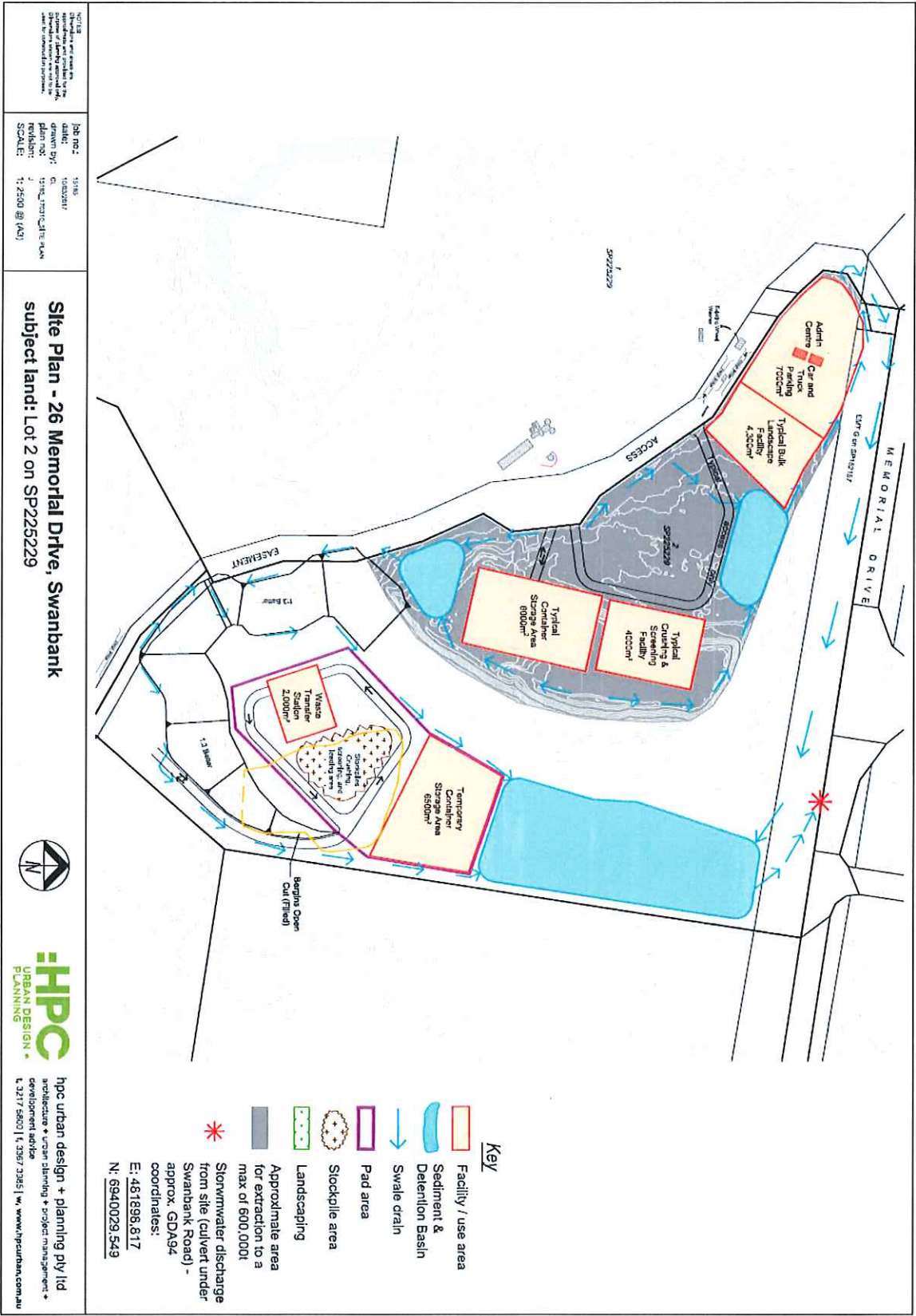
You means the holder of the environmental authority.

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.

Appendices

Attachment 1 – Site Plan

Attachment 1 – Site Plan



END OF ENVIRONMENTAL AUTHORITY

