Permit

Environmental Protection Act 1994

Environmental authority ER74288098313

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

Environmental authority number: ER74288098313

Environmental authority takes effect on 20 September 2019

Environmental authority holder

Name(s)	Registered address
Recycal Pty Ltd	C:-/ Pitcher Partners Level 13, 664 Collins Street DOCKLANDS VIC 3008

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 62 - Resource recovery and transfer facility operation: 1(a) Operating a facility for receiving and sorting, dismantling, baling or temporarily storing scrap steel, non-putrescible waste or green waste only; 1(c) Operating a facility for receiving and sorting, dismantling, baling or temporarily storing category 2 regulated waste; 1(d) Operating a facility for receiving and sorting, dismantling, baling or temporarily storing category 1 regulated waste	1204 Lytton Road HEMMANT QLD 4174 – Lot 2 SP305458

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.

Queensland Government

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.

	19/9/2019
Signature	Date

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

Enquiries:
Waste and Contaminated Land Assessment
400 George Street, Brisbane, QLD, 4000
1300 130 372 (Option 4)
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 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

Agency interest: General	
Condition	**GENERAL**
G1	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the **activities**.
G2	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.
G3	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.
G4	Written procedures must be developed for the **activity** that meet the following standards: a) Identify all potential risks to the environment from the **activity**, including when the activity is not in operation or in an emergency; b) Establish and maintain control **measures** that prevent and/or minimise the potential for environmental harm; c) Detail an inspection and maintenance program that ensure all plant and equipment are maintained in a proper and effective condition; d) Ensure plant and equipment are operated in a proper and effective manner; e) Detail how and when staff training is to be conducted (at least annually) to ensure awareness of obligations under the environmental authority and the *Environmental Protection Act 1994*; and f) Detail how reviews of environmental risks and environmental performance, including complaints, are undertaken at regular intervals (at least annually).
G5	Procedures required by condition G4 must be implemented so the activity is undertaken in accordance with these procedures.
G6	Procedures required by condition G4 must be reviewed at least annually.
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.
G8	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.
G9	All waste including batteries, waste liquid chemicals and waste oil and all chemicals (including oil, paint, lacquers, thinners, adhesives, and cleaning solvents) in containers of greater than 15 litres must be stored within a **secondary containment system.**
G10	Chemical containers for storing volatile liquids must be fitted with electrical and static electricity earthing cables/ devices.

Agency interest: AIR	
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 deposition 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) (PM_{10}) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 (or more recent editions) or any other method approved by the administering authority.
A4	All refrigerant gases are to be recovered prior to dismantling of air conditioning units.
Agency interest: WATER	
Number	**Condition**
WT1	**Contaminants** must not be released to any **waters**.
Agency interest: LAND	
Number	**Condition**
L1	**Contaminants** from the activity must not be released to **land**.
L2	Waste processing areas must be constructed of impervious materials and be bunded and roofed.
L3	Before applying to surrender this environmental authority, the site must be rehabilitated to achieve a safe, stable, non-polluting landform.
Agency interest: NOISE	
Number	**Condition**
N1	Noise generated by the activity must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.
N2	Noise from the **activity** must not exceed the levels identified in *Table 1—Noise limits* when measured in accordance with the associated monitoring requirements.

Table 1 – Noise limits (measured as maximum adjusted sound pressure level ($L_{Amax,adj,T}$)

7am–6pm	**6pm–10pm**	**10pm–7am**
Noise measured at the nearest sensitive place		
L_{Abg} + 5	L_{Abg} + 5	L_{Abg} + 3
Noise measured at a commercial place		
L_{Abg} + 10	L_{Abg} + 10	L_{Abg} + 8

NOTE: L_{Abg} is measured as maximum adjusted sound pressure level ($L_{Amax,adj,T}$).

Associated requirements

1. All monitoring devices must be correctly calibrated and maintained.

	2. Any monitoring must be in accordance with the most recent version of the **administering authority's** Noise Measurement Manual. 3. Any monitoring of noise emissions from the activity must be undertaken when the activity is in operation. 4. Monitoring must be performed by an **appropriately qualified person(s)**. 5. Monitoring must include: – $L_{Amax,adj,T}$; – Background noise (Background) as $L_{A\ 90,\ adj,\ T}$; – the level and frequency of occurrence of any 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.
Agency interest: WASTE	
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.
W3	Waste being treated must be lawfully treated to render it less hazardous and be fit for its intended use or disposal.

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 successors or predecessors.

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.

Contaminant(s) as defined in Section 11 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:

a) placed in proximity to other wastes; and / or
b) mixed with other wastes.

Land does not include **waters**.

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

NATA means National Associated of Testing Authorities.

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:

- deposit, discharge, emit or disturb the contaminant;
- cause or allow the contaminant to be deposited, discharged, emitted or disturbed;
- fail to prevent the contaminant from being deposited, discharged emitted or disturbed;
- allow the contaminant to escape;
- fail to prevent the contaminant from escaping.

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:

- a dwelling, residential allotment, 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 under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
- a park or garden; or
- for noise, a place listed as a sensitive receptor in Schedule 1 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.

END OF ENVIRONMENTAL AUTHORITY