Permit

Environmental Protection Act 1994

Environmental authority P-EA-100118440

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

Environmental authority number: P-EA-100118440

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

The first annual fee is payable within 20 business days of the effective date.

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

Environmental authority holder

Name	Registered address
The Haggarty Group Pty Ltd	1925 Logan Road UPPER MOUNT GRAVATT QLD 4122

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- (a) scrap metal, non-putrescible waste or green waste only	6 – 8 Warrell Street WEST IPSWICH QLD 4305 – Lot 1 SP288155; and 349 Brisbane Street WEST IPSWICH QLD 4305 – Lot 53 RP868794.

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).

ABN 46 640 294 485

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.

	12 April 2022
Signature	Date

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

Enquiries:
Waste Assessment
Department of Environment and Science
GPO Box 2454, Brisbane QLD 4001
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 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 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 taken.
G3	Activities under this environmental authority must be conducted in accordance with the following limitations: a) The activity must only receive scrap metal, aluminium cans and plastic beverage containers; b) Storage, sorting and baling of scrap metal must only be undertaken on Lot 1 SP288155; and c) The activity must only be undertaken within the area depicted in Appendix A – Site Plan.
G4	Written procedures must be developed and documented within three months of the environmental authority taking effect that: a) identify all potential risks to the environment from the activity, including during and outside routine operations, during closure and in an emergency; and b) identify measures to prevent or minimise the potential for environmental harm for each of the potential risks identified; and c) establish an inspection and maintenance program for plant and equipment including calibration and servicing that is in accordance with manufacturer's instructions; and d) establish a staff training program on obligations under this environmental authority and the *Environmental Protection Act 1994* to be conducted as part of staff inductions and at least annually; and e) establish processes to review environmental risks, incidents, performance and complaints.
G5	Written procedures required by condition G4 must be: a) implemented; and b) reviewed at least annually; and c) provided to the administering authority upon request at the time and in the format requested.
G6	For plant and equipment, all measures necessary to comply with the conditions of this environmental authority must be: a) installed, operated and maintained in a proper and effective manner; and b) in accordance with condition G4.
G7	All records must be kept for a period of at least five years and provided to the administering authority upon request.
G8	Chemicals, fuels, waste oils and all other liquid waste in containers of greater than 15 litres must be stored within a secondary containment system.

G9	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	
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.
Agency Interest: Water	
Condition number	**Condition**
WT1	Contaminants must not be released to waters.
Agency Interest: Noise	
Condition 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 include substantial low frequency noise components and must not exceed the levels identified in *Table 1 – Noise limits* and the associated requirements at any sensitive place or commercial place.

Table 1 – Noise limits

Noise level measured in (dB(A))	Monday to Saturday			Sunday and Public Holidays		
	7am–6pm	6pm–10pm	10pm–7am	9am–6pm	6pm–10pm	10pm–9am
	Noise measured at a sensitive place					
$L_{Aeq\ adj,\ 1\ hr}$	Background + 3	Background + 0	Background + 0	Background + 0	Background + 0	Background + 0
$L_{Amax\ ,\ 1\ hr}$	-	-	47 dB(A)	-	-	47 dB(A)
Noise measured at a commercial place						
$L_{Aeq\ adj,\ 1\ hr}$	Background + 5	Background + 0	Background + 0	Background + 0	Background + 0	Background + 0

Associated requirements

1. All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual.
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 include:
   a) $L_{Aeq,\ adj,\ T}$;
   b) Background noise (Background) as $L_{A90,\ adj,\ T}$;
   c) $L_{Amax,\ T}$;
   d) The level and frequency of occurrence of any impulsive or tonal noise;

	e) Atmospheric conditions including wind speed and direction; f) Effects due to extraneous factors such as traffic noise; g) Location, date and time of recording; and h) All monitoring must be performed by an appropriately qualified person(s).
N3	At all times the following operational restrictions apply: a) Unloading/loading of scrap metal materials must only take place between 7am and 6pm, Monday to Saturday; and b) The baler machine must only operate between 7am and 6pm, Monday to Saturday.
N4	The baler machine must have acoustic barrier(s) in place at all times to the southern and western sides of the machine that: a) are appropriately designed and constructed to minimise noise emissions to sensitive places; and b) are at least 2.4 metres in length on each side; and c) are formed of materials with a surface mass greater than 12 kg/m^2.
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.
W3	The maximum height of any stockpile must not exceed three (3) metres, other than baled scrap metal, which must not exceed five (5) metres in height.

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 and experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirement using the relevant protocols, standards, methods or literature.

Background means noise, measured in the absence of the noise under investigation, as $L_{A90,T}$ being the Aweighted sound pressure level exceeded for 90% of the 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.

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*.

Groundwater means water that occurs naturally in, or is introduced artificially into, an aquifer.

$L_{Aeq\ adj,T}$ 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 an intermittent noise.
$L_{Amax,T}$ means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.

Land does not include **waters**.

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 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 listed as a sensitive receptor in Schedule 1 of the Environmental Protection (Noise) Policy 2019.

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

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.

Appendix 1 – Site Plan



END OF ENVIRONMENTAL AUTHORITY