



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0217-037217

12 April 2017

Recyclers Australia Pty Ltd
42 Union Circuit
Yatala QLD 4207

Via email: sales@recyclersaustralia.com.au

Dear Sir / Madam,

Notice of decision

42-44 and 46-48 Union Circuit Yatala, Gold Coast QLD 4207; Lot 25 on SP204791 and Lot 26 on SP204791

(Given under section 285 of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning (the department) advises that the development application described below has been approved with no requirements.

Applicant details

Applicant name: Recyclers Australia Pty Ltd

Site details

Address: 42-48 Union Circuit Yatala QLD 4207

Lot on plan: Lots 25 and 26 on SP204791

Local government area: Gold Coast City Council

Application details

Proposed development: Development Permit for a Material Change of Use for an Environmentally Relevant Activity (ERA) 62- Waste Transfer Station

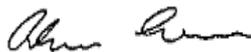
A decision notice for this application is attached.

Copies of the following documents are also attached:

- relevant appeal provisions in the *Sustainable Planning Act 2009* (the Act);
- any plans and specifications approved in relation to the decision notice.

For further information, please contact Thomas Holmes, Senior Planning Officer on 07 5644 3217, or via GCSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Adam Norris
A/Manager – Planning and Development Services – SEQ South

enc: Decision notice
Attachment 1 - SPA appeal provisions
Attachment 2 – Environmental Authority

Decision notice

(Given under section 334 of the *Sustainable Planning Act 2009*)

Applicant details

Applicant name: Recyclers Australia Pty Ltd
 Applicant contact details: 42 Union Circuit
 Yatala QLD 4207

Application details

Level of assessment: Code assessment
 Properly made date: 17 March 2017

Site details

Street address: 42-48 Union Circuit Yatala, Gold Coast QLD 4207
 Lot on plan: Lots 25 and 26 on SP204791

Decision

Date of decision: 12 April 2017
 Decision details: Approved with no requirements

Referral agencies

There were no referral agencies for this application.

Properly made submissions

Not applicable—No part of the application required impact assessment.

Conflicts with relevant instruments

This decision does not conflict with a relevant instrument.

Rights of appeal

The rights of applicants to appeal to the Planning and Environment Court against decisions about a development application are set out in chapter 7, part 1, division 8 of the Act. For particular applications, there may also be a right to appeal to the Building and Development Dispute Resolution Committee (see chapter 7, part 2 of the Act). Copies of the relevant appeal provisions are attached.

Relevant period for the approval

This development approval will lapse if development is not started within the relevant periods stated in section 341 of the Act.

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RTI Act 2009

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Attachment 1 - SPA Appeal Provisions

***Sustainable Planning Act 2009*—Representation and appeal provisions**

The following relevant appeal provisions are provided in accordance with s336(a) of the *Sustainable Planning Act 2009*.

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| Chapter 6 Integrated development assessment system (IDAS) |
|--|

Part 8 Dealing with decision notices and approvals

Division 1 Changing decision notices and approvals during applicant's appeal period

360 Application of div 1

This division applies only during the applicant's appeal period.

361 Applicant may make representations about decision

- (1) The applicant may make written representations to the assessment manager about—
 - (a) a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 287(1) or (5); or
 - (b) the standard conditions applying to a deemed approval.
- (2) However, the applicant can not make representations under subsection (1)(a) about a condition attached to an approval under the direction of the Minister.

362 Assessment manager to consider representations

The assessment manager must consider any representations made to the assessment manager under section 361.

363 Decision about representations

- (1) If the assessment manager agrees with any of the representations about a decision notice or a deemed approval, the assessment manager must give a new decision notice (the ***negotiated decision notice***) to—
 - (a) the applicant; and
 - (b) each principal submitter; and
 - (c) each referral agency; and
 - (d) if the assessment manager is not the local government and the development is in a local government area—the local government.
- (2) Before the assessment manager agrees to a change under this section, the assessment manager must consider the matters the assessment manager was required to consider in assessing the application, to the extent the matters are relevant.
- (3) Only 1 negotiated decision notice may be given.
- (4) The negotiated decision notice—

- (a) must be given within 5 business days after the day the assessment manager agrees with the representations; and
 - (b) must comply with section 335; and
 - (c) must state the nature of the changes; and
 - (d) replaces—
 - (i) the decision notice previously given; or
 - (ii) if a decision notice was not previously given and the negotiated decision notice relates to a deemed approval—the standard conditions applying to the deemed approval.
- (5) If the assessment manager does not agree with any of the representations, the assessment manager must, within 5 business days after the day the assessment manager decides not to agree with any of the representations, give written notice to the applicant stating the decision about the representations.

364 Giving new notice about charges for infrastructure

- (1) This section applies if the development approved by the negotiated decision notice is different from the development approved in the decision notice or deemed approval in a way that affects the amount of an infrastructure charge, regulated infrastructure charge or adopted infrastructure charge.
- (2) The local government may give the applicant a new infrastructure charges notice under section 633, regulated infrastructure charges notice under section 643 or adopted infrastructure charges notice under section 648F to replace the original notice.

366 Applicant may suspend applicant's appeal period

- (1) If the applicant needs more time to make the representations, the applicant may, by written notice given to the assessment manager, suspend the applicant's appeal period.
- (2) The applicant may act under subsection (1) only once.
- (3) If the representations are not made within 20 business days after the day written notice was given to the assessment manager, the balance of the applicant's appeal period restarts.
- (4) If the representations are made within 20 business days after the day written notice was given to the assessment manager—
 - (a) if the applicant gives the assessment manager a notice withdrawing the notice under subsection (1)—the balance of the applicant's appeal period restarts the day after the assessment manager receives the notice of withdrawal; or
 - (b) if the assessment manager gives the applicant a notice under section 363(5)—the balance of the applicant's appeal period restarts the day after the applicant receives the notice; or
 - (c) if the assessment manager gives the applicant a negotiated decision notice—the applicant's appeal.

Chapter 7 Appeals, offences and enforcement

Part 1 Planning and Environment Court

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following—
 - (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application.
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the **applicant's appeal period**) after—
 - (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
 - (b) otherwise—the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

- (1) A submitter for a development application may appeal to the court only against—
 - (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
 - (a) the giving of a development approval;
 - (b) any provision of the approval including—
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
 - (a) withdraws the submission before the application is decided; or
 - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the **submitter's appeal period**) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

- (1) This section applies to a development application to which chapter 9, part 7 applies.
- (2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a concurrence agency for the application.

- (3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—
 - (a) development for an aquacultural ERA; or
 - (b) development that is—
 - (i) a material change of use of premises for aquaculture; or
 - (ii) operational work that is the removal, damage or destruction of a marine plant.
- (4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—
 - i. a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive;
 - ii. a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

- (1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
- (2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—
 - (a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) any part of the approval relating to the assessment manager's decision under section 327.
- (3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.
- (4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

- (1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
- (3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
 - (a) if the responsible entity for making the change is the assessment manager for the application—
 - (i) the person who made the request; or
 - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
 - (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.

- (2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

- (1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Division 11 Making and appeal to Court

481 How appeals to the court are started

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.
- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

482 Notice of appeal to other parties—development applications and approvals

- (1) An appellant under division 8 must give written notice of the appeal to—
 - (a) if the appellant is an applicant—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any concurrence agency; and
 - (iv) any principal submitter whose submission has not been withdrawn; and
 - (v) any advice agency treated as a submitter whose submission has not been withdrawn; or
 - (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any referral agency; and
 - (iv) the applicant; or
 - (c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—
 - (i) the chief executive; and
 - (b) the assessment manager for the development application to which the notice relates; and
 - (c) any entity that was a concurrence agency for the development application to which the notice relates; and

- (d) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or
- (d) if the appellant is a person mentioned in section 466(1)—
 - (i) the chief executive; and
 - (ii) the responsible entity for making the change to which the appeal relates; and
 - (iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and
 - (iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or
- (e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.
- (2) The notice must be given within—
 - (a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (3) The notice must state—
 - (a) the grounds of the appeal; and
 - (b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

485 Respondent and co-respondents for appeals under div 8

- (1) Subsections (2) to (8) apply for appeals under sections 461 to 464.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) Any submitter may elect to become a co-respondent for the appeal.
- (5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.
- (6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.
- (7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
- (9) For an appeal under section 465—
 - i. the assessment manager is the respondent; and
 - ii. if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and
 - iii. any other person given notice of the appeal may elect to become a co-respondent.
- (10) For an appeal under section 466—
 - (a) the responsible entity for making the change to which the appeal relates is the respondent; and
 - (b) if the responsible entity is the assessment manager—

- (i) if the appeal is started by a person who gave a notice under section 373 or a pre-request response notice—the person who made the request for the change is a co-respondent; and
 - (ii) any other person given notice of the appeal may elect to become a co-respondent.
- (11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

488 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

490 Lodging appeal stops particular actions

- (1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.
- (2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn.
- (3) Despite subsections (1) and (2), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

Our reference: SDA-0217-037217

Attachment 2—Environmental Authority

Published on DES Disclosure Log
RTI Act 2009

Permit

Environmental Protection Act 1994

Environmental authority EA0000759

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

Environmental authority number: EA0000759**Environmental authority takes effect on 11 April 2017****Environmental authority holder(s)**

| Name(s) | Registered address |
|-----------------------------|---|
| Recyclers Australia Pty Ltd | 1 Telford Circuit YATALA QLD 4207 Australia |

Environmentally relevant activity and location details

| Environmentally relevant activity/activities | Location(s) |
|---|-----------------|
| Prescribed ERA, ERA 62 - Waste transfer station operation, Operating, on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity of at least 30t or 30 cubic metres of waste on any day | LOT 25/SP204791 |
| Prescribed ERA, ERA 62 - Waste transfer station operation, Operating, on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity of at least 30t or 30 cubic metres of waste on any day | LOT 26/SP204791 |

Additional information for applicantsEnvironmentally 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



Environmental authority

- 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 Sustainable Planning Act 2009 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.

Amani Kowero
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Waste and Contaminated Land Assessment
Department of Environment and Heritage Protection
Phone: 1300 130 372
Email: palm@ehp.qld.gov.au

Date issued: 11 April 2017

Legislative Requirements and Conditions of Environmental Authority

Legislative Requirements

- PLR022 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 and Mines (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).
- PLR024 Development Approval
This permit is not a development approval under the Sustainable Planning Act 2009. 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 Heritage Protection to ensure that you have the most current version of the environmental authority relating to this site.

Condition

General

- PCG037 All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
- PCG038 Incompatible wastes must not be mixed in the same container or waste storage area.
- PCG010 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 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.
- PCG011 All records must be kept for a period of at least five years and provided to the administering authority upon request.
- PMG007 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.
- PMG009 When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority to investigate a complaint of



Environmental authority

environmental nuisance arising from the activity. The monitoring results must be provided within 10 business days to the administering authority upon its request.

- PCG012 Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.
- PMG008 All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.
- PMG010 Activities under this environmental authority must be conducted in accordance with the following limitations:
 (a) Construction and demolition waste materials include; concrete, glass, bricks, timber, plasterboard, metals and plastics.
 (b) Other acceptable wastes include green waste and soil.

Acoustic

- PCN006 Other than as permitted within this environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.

Air

- PMA001 Other than as permitted within this environmental authority, odours or airborne contaminants must not cause environmental nuisance at a sensitive place or commercial place.
- PCA003 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) (PM10) 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.

Land

- PCL005 Other than as permitted within this environmental authority, contaminants must not be released to land.

Water

- PCW014 Other than as permitted within this environmental authority, contaminants must not be released to any waters.

Definition

- PD077 Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.
- PD078 Administering authority means the Department of Environment and Heritage Protection or its successors or predecessors.

PD099
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Queensland
Government

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.

- PD123 Environmental nuisance as defined in Chapter 1 of the Environmental Protection Act 1994.
- PD133 Incompatible waste means waste that may chemically react when:
1. placed in proximity to other wastes; and/or
2. mixed with other wastes.
- PD136 Land does not include waters.
- PD163 Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.
- PD172 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.
- PD176 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.
- PD199 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.
- PD202 You means the holder of the environmental authority.



Compliance Inspection – Recyclers Australia Pty Ltd, Environmental Authority EA0000759, 2 August 2019

I am writing to inform you that the Department of Environment and Science (the department) is planning to carry out a compliance inspection under the *Environmental Protection Act 1994* (the Act) at the premises of Recyclers Australia Pty Ltd, situated at 46 Union Circuit, Yatala on **2 August 2019** at 10.00AM.

Objectives and scope of the inspection

The objectives and scope of the inspection include assessing your compliance with environmental authority (EA) number EA0000759 and the relevant provisions of the Act and subordinate legislation.

It is anticipated that, subject to site conditions and excluding any site induction, the departmental officers will be present on-site for approximately one hour.

Assistance

Your assistance prior to and during the inspection process will be greatly appreciated and will help facilitate an efficient compliance inspection. Please provide the department with the following information by 1.00PM of business on 1 August 2019:

1. Any health and safety requirements, including site induction requirements and personal protection equipment (PPE) required for this visit.
2. The name and contact details of the site representative who will accompany the departmental officers during the compliance inspection.
3. Any monitoring data, written procedures, management plan or document required to be kept by an EA condition that would be appropriate to review prior to inspection.

On the day of the inspection please ensure that:

- Key site personnel responsible for are available for discussion during the inspection.
- All relevant records and documents are available for viewing.

What will happen during the inspection?

During the inspection, the departmental officers may use photographic equipment to record details of the inspection and may take effluent, soil, surface water and/or groundwater samples. The departmental officers may also need to speak with your staff about relevant matters in relation to the Environmental Authority. During the inspection, departmental officers may require the occupier of the place or any person in the place, to give the departmental officers reasonable help for the exercise of their powers under the Act.

A guideline which provides an overview of the role and powers of authorised persons under the Act is available on the department's website at

<http://www.des.qld.gov.au/assets/documents/compliance/cm-gl-powers-author-persons-ext.pdf>

Further information

If you require any further information or have any general concerns about the inspection please contact Les Mills on phone number 5626 6865.

Permit

Environmental Protection Act 1994

Environmental authority EA0000759

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

Environmental authority number: EA0000759**Environmental authority takes effect on 07 July 2017****Environmental authority holder(s)**

| Name(s) | Registered address |
|-----------------------------|---|
| Recyclers Australia Pty Ltd | 1 Telford Circuit YATALA QLD 4207 Australia |

Environmentally relevant activity and location details

| Environmentally relevant activity/activities | Location(s) |
|---|-----------------|
| Prescribed ERA, ERA 62 - Waste transfer station operation, Operating, on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity of at least 30t or 30 cubic metres of waste on any day | LOT 25/SP204791 |
| Prescribed ERA, ERA 62 - Waste transfer station operation, Operating, on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity of at least 30t or 30 cubic metres of waste on any day | LOT 26/SP204791 |
| Prescribed ERA, ERA 20 - Metal Recovery, 2: Recovering 100t or more of metal in a day, or 10,000t or more of metal in a year, (a) without using a fragmentiser | LOT 25/SP204791 |
| Prescribed ERA, ERA 20 - Metal Recovery, 2: Recovering 100t or more of metal in a day, or 10,000t or more of metal in a year, (a) without using a fragmentiser | LOT 26/SP204791 |

Additional information for applicantsEnvironmentally 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.



Environmental authority

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.

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

Enquiries:
Extraction, Energy and Chemical Industries
Assessment
Department of Environment and Heritage Protection
Phone: 1300 130 372
Email: palm@ehp.qld.gov.au

Date issued: 07 July 2017

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)

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Legislative Requirements and Conditions of Environmental Authority

Legislative Requirements

- PLR022 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 and Mines (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).
- PLR024 **Development Approval**
This permit is not a development approval under the Sustainable Planning Act 2009. 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 Heritage Protection to ensure that you have the most current version of the environmental authority relating to this site.

Condition

General

- PCG010 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 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.
- PCG011 All records must be kept for a period of at least five years and provided to the administering authority upon request.
- PCG012 Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.
- PCG037 All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
- PCG038 Incompatible wastes must not be mixed in the same container or waste storage area.
- PMG007 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.

Environmental authority

- PMG008 All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.
- PMG009 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.
- PMG010M Activities under this environmental authority must be conducted in accordance with the following limitations:
 (a) Construction and demolition waste materials include; concrete, glass, bricks, timber, plasterboard, metals, plastics and green waste and soil.
 (b) Other acceptable wastes include scrap metal.

Acoustic

- PCN006 Other than as permitted within this environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.

Air

- PCA003 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) (PM10) 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.
- PMA001 Other than as permitted within this environmental authority, odours or airborne contaminants must not cause environmental nuisance at a sensitive place or commercial place.

Land

- PCL005 Other than as permitted within this environmental authority, contaminants must not be released to land.

Water

- PCW014 Other than as permitted within this environmental authority, contaminants must not be released to any waters.

Definition

- PD077 Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.
- PD078 Administering authority means the Department of Environment and Heritage Protection or its successors or predecessors.
- PD099

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.

- PD123 Environmental nuisance as defined in Chapter 1 of the Environmental Protection Act 1994.
- PD133 Incompatible waste means waste that may chemically react when:
1. placed in proximity to other wastes; and/or
2. mixed with other wastes.
- PD136 Land does not include waters.
- PD163 Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.
- PD172 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.
- PD176 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.
- PD199 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.
- PD202 You means the holder of the environmental authority.