

# Permit

## Environmental Protection Act 1994

### Environmental authority BRID0040

*This environmental authority is issued by the administering authority under section 678A of Part 18 Chapter 13 of the Environmental Protection Act 1994.*

#### Environmental authority number: BRID0040

#### Environmental authority takes effect on the day of approval.

The anniversary date of this environmental authority remains the same, 23 June. An annual return and the payment of the annual fee will be due each year on this day.

#### Environmental authority holder(s)

Name(s)	Registered address
BMI Nudgee Road Pty Ltd	44 Jordan Terrace BOWEN HILLS QLD 4006

#### Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
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	538 Nudgee Rd, Nundah QLD 4012 – LOT 2/SP275085 526 Nudgee Rd, Nundah QLD 4012 - LOT 131/SP139826 128 Hedley Ave, Nundah QLD 4012 - LOT 128/SP275086

#### 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](http://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.


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.



Signature



Date

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

**Enquiries:**  
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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)

### **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 and Mines (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 Heritage Protection to ensure that you have the most current version of the environmental authority relating to this site.

### **Conditions of environmental authority**

**Location:** 538 Nudgee Rd, Nundah QLD 4012 – LOT 2/SP275085  
526 Nudgee Rd, Nundah QLD 4012 - LOT 131/SP139826  
128 Hedley Ave, Nundah QLD 4012 - LOT 128/SP275086

### **Relevant activity/ies:**

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

The environmentally relevant activity(ies) conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

<b>Agency interest: General</b>	
<b>Condition number</b>	<b>Condition</b>
G1	<p><u>Activities</u> conducted under this environmental authority must not be conducted contrary to any of the following limitations:</p> <p>a) Operating, on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity greater than 30m<sup>3</sup> or 30t of waste on any day.</p>
G2	All reasonable and practicable <u>measures</u> must be taken to minimise the likelihood of environmental harm being caused.
G3	Any breach of a condition of this environmental authority must be reported to the <u>administering authority</u> within 24 hours of becoming aware of the breach and record full details of the breach and any subsequent actions.
G4	All information and records that are required by the conditions of this environmental authority must be kept for a period of at least 5 years.
G5	<p>Site Based Management Plan</p> <p>From commencement of an ERA to which this environmental authority relates, a site based management plan (SBMP) must be implemented.</p>
G6	<p>The SBMP must address, but not be limited to the following matters:</p> <ul style="list-style-type: none"> <li>(a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals;</li> <li>(b) Identification of environmental issues and potential impacts;</li> <li>(c) Control measures for routine operations to minimise likelihood of environmental harm;</li> <li>(d) Contingency plans and emergency procedures for non-routine situations, including flood;</li> <li>(e) Organisational structure and responsibility;</li> <li>(f) Effective communication;</li> <li>(g) Monitoring of contaminant releases;</li> <li>(h) Conducting environmental impact assessments;</li> <li>(i) Staff training in all relevant aspects of the SBMP to ensure compliance with the conditions of this approval;</li> <li>(j) Record keeping, including the documentation of training relevant to the SBMP; and</li> <li>(k) Periodic review of environmental performance and continual improvement.</li> </ul>
G7	The site based management plan must not be implemented or amended in a way that contravenes any condition of this environmental authority.
G8	<p>For any nuisance complaints received <u>you</u> must:</p> <ul style="list-style-type: none"> <li>a) keep record of the complaint and any investigations or actions taken in relation to the complaint;</li> <li>b) have a <u>suitably qualified person</u> investigate the complaint to determine if <u>environmental nuisance</u> has been caused; and</li> <li>c) where <u>environmental nuisance</u> is or has been caused by the <u>activity</u>, undertake actions necessary to rectify the nuisance issue.</li> </ul>
G9	If <u>you</u> become aware of any adverse impact on an <u>environmental value</u> <u>you</u> must notify the <u>administering authority</u> in writing of the full details of the adverse impact within 24 hours of becoming aware of the impact.
<b>Agency interest: Air</b>	



Condition number	Condition																																																				
A1	Odours or airborne contaminants which are <u>noxious</u> or <u>offensive</u> or otherwise unreasonably disruptive to public amenity or safety must not be released to any <u>nuisance sensitive place</u> or <u>commercial place</u> .																																																				
A2	Contaminants must not be released to air from any point source.																																																				
Agency interest: Noise																																																					
Condition number	Condition																																																				
N1	Noise from the activity must not occur from blasting or include <u>substantial low frequency noise</u> components and must not exceed the levels identified in Table 1 – Noise limits and the associated requirements at any <u>nuisance sensitive place</u> or <u>commercial place</u> . <div>Table 1– Noise limits<table><tr><th rowspan="3">Noise level measured in dB(A)</th><th colspan="3">Monday to Saturday</th><th colspan="3">Sunday and Public Holidays</th></tr><tr><th>7am-6pm</th><th>6pm-10pm</th><th>10pm-7am</th><th>9am-6pm</th><th>6pm-10pm</th><th>10pm-9am</th></tr><tr><th colspan="6">Noise measured at a <u>nuisance sensitive place</u></th></tr><tr><td><math>L_{Aeqadj,T}</math></td><td>Background +5</td><td>Background +3</td><td>Background +0</td><td>Background +5</td><td>Background +3</td><td>Background +0</td></tr><tr><td><math>MaxL_{pA,T}</math></td><td>Background +10</td><td>Background +8</td><td>Background +5</td><td>Background +10</td><td>Background +8</td><td>Background +5</td></tr><tr><th rowspan="3"><math>L_{Aeqadj,T}</math></th><th colspan="6">Noise measured at a <u>commercial place</u></th></tr><tr><td>Background +10</td><td>Background +8</td><td>Background +5</td><td>Background +10</td><td>Background +8</td><td>Background +5</td></tr><tr><td><math>MaxL_{pA,T}</math></td><td>Background +15</td><td>Background +13</td><td>Background +10</td><td>Background +15</td><td>Background +13</td></tr></table></div>	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 <u>nuisance sensitive place</u>						$L_{Aeqadj,T}$	Background +5	Background +3	Background +0	Background +5	Background +3	Background +0	$MaxL_{pA,T}$	Background +10	Background +8	Background +5	Background +10	Background +8	Background +5	$L_{Aeqadj,T}$	Noise measured at a <u>commercial place</u>						Background +10	Background +8	Background +5	Background +10	Background +8	Background +5	$MaxL_{pA,T}$	Background +15	Background +13	Background +10	Background +15	Background +13
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Agency interest: Water																																																					
Condition number	Condition																																																				
WT1	Other than as permitted within this authority, contaminants must not be released from the site to any waters or the bed and banks of any waters.																																																				
WT2	Contaminants must not be released to groundwater.																																																				
WT3	Contaminants must not be released to surface waters.																																																				
Agency interest: Waste																																																					
Condition number	Condition																																																				
WS1	Only remove waste from the site by using a transporter lawfully able to transport it and to a place lawfully able to receive it.																																																				
WS2	Waste must not be burnt.																																																				
WS3	Only the following waste materials are permitted to be accepted: <u>construction and demolition waste</u> and <u>commercial and industrial waste</u> .																																																				

<b>Agency interest: Land</b>	
<b>Condition number</b>	<b>Condition</b>
L1	Contaminants must not be released to land.
L2	Treatment and management of acid sulfate soils must comply with the latest edition of the <u>administering authority's</u> manual <i>Instructions for the Treatment and management of acid sulfate soils, 2001</i> .
L3	Before surrendering this environmental authority the site must be rehabilitated to achieve a safe, stable, non-polluting landform.

### 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 Heritage Protection or its successor or predecessors.

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

Boundary means within 1m of the cadastral boundary of the approved place.

Commercial waste and Industrial waste as defined under the Environmental Protection Regulation 2008.

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 as defined under the Waste Reduction and Recycling Regulation 2011.

Environmental nuisance (the Act) is unreasonable interference or likely interference with an environmental value caused by—

- a) aerosols, fumes, light, noise, odour, particles or smoke; or
- b) an unhealthy, offensive or unsightly condition because of contamination; or
- c) another way prescribed by regulation.

Environmental value (the Act) is—

- a) a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or
- b) another quality of the environment identified and declared to be an environmental value under an environmental protection policy or regulation.

Prescribed contaminants means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.



$L_{Aeq\ adj,T}$  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 1 hour when the approved activity is causing an intermittent noise.

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

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

Noxious means harmful or injurious to health or physical well-being.

Offensive means causing offence or displeasure; is unreasonably disagreeable to the sense; disgusting, nauseous or repulsive.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

- a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- b) a motel, hotel or hostel; or
- c) a kindergarten, school, university or other educational institution; or
- d) a medical centre or hospital; or
- e) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
- f) a public thoroughfare, park or gardens; or
- g) 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 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

You means the holder of the environmental authority.

#### **END OF ENVIRONMENTAL AUTHORITY**

