Chapter 1 Preliminary

1 Short title

**Short title [1]**

This regulation may be cited as the *Environmental Protection Regulation 2008* 2019.

2 Commencement

**Commencement [2]**

This regulation commences on 1 January 2009 September 2019.

3 Definitions

**Definitions [3]**

The dictionary in schedule 19 defines particular words used in this regulation.
Chapter 2  Environmental impact statements

Part 1  Preliminary

4 Types of project requiring Commonwealth or State authority approval [4]

A project is prescribed for section 37(1)(e) of the Act if—

(a) the Commonwealth Minister has, under the Commonwealth Environment Act, chapter 4, part 8, division 3—

(i) decided the approach for assessing the relevant impacts of the project is assessment by an accredited assessment process; and

(ii) given notice of the decision; or

Note—

See the Commonwealth Environment Act, chapter 4, part 8, division 3 (Decision on assessment approach).

(b) the relevant impacts of the project are to be assessed under a bilateral agreement.
Part 2  
EIS process

5 Application of pt 2

Application of part [5]
(1) This part and schedule 1 apply to a project mentioned in section 44.

(2) Any steps or actions taken under the EIS process before the action mentioned in section 4(a) happens are taken to have complied with this part.

For a project mentioned in section 4(a), a step or action taken under the EIS process, before a notice mentioned in section 4(a) is given, is taken to be a step or action that complies with this part.

6 Prescribed matters for draft terms of reference—Act, s 41(2)(d) s 41 [6]

The draft terms of reference for an EIS must include the matters necessary for ensuring—

(a) the project’s relevant impacts are assessed under the EIS; and

(b) the assessment of the project under the EIS—

(i) gives enough information about the project and its relevant impacts to allow the Commonwealth Minister to make an informed decision whether to approve the project under the Commonwealth Environment Act; and

(ii) addresses the matters mentioned in schedule 1.

7 Prescribed matters for TOR notice and EIS notice—Act, ss 42(2)(f) ss 42 and 52(1)(g) 52 [7]

(1) A TOR notice and an EIS notice must state the following—
For sections 42(2)(f) and 52(1)(g) of the Act, the following matters are prescribed—
(a) the project’s title and location;
(b) the name of the proponent for the project;
(c) if the proponent and designated proponent for the project are not the same entity—the name of the designated proponent;
(d) any matter protected for the project.

(2) In this section—
matter protected matter—means a matter protected that is mentioned in the Commonwealth Environment Act, section 34 and protected by a controlling provision for the project.

8 Prescribed way for publishing TOR notice and EIS notice—Act, ss 51 and 558 [8]
A TOR notice and an EIS notice must be published—
For sections 51(2)(b)(ii) and 558(3) of the Act, a TOR notice and an EIS notice must be published—
(a) in a newspaper circulating throughout Australia; or
(b) in each State or Territory in a newspaper circulating generally in the State or Territory.

9 Prescribed matters for EIS assessment report—Act, s 59(e) [9]
(1) An EIS assessment report must contain the following matters—
For section 59(e) of the Act, the following matters are prescribed—
(a) a description of the following—
   (i) the project;
(i) the places affected by the project;
(ii) any matters of national environmental significance likely to be affected by the project;
(b) a summary of the project’s relevant impacts;
(c) a summary of feasible effective mitigation measures or changes to the project or procedures to prevent or minimise the project’s relevant impacts, proposed by the proponent or suggested in a relevant submission;
(d) to the extent practicable, a summary of feasible effective alternatives to the project identified in the assessment process and the likely impact of the alternatives on matters of national environmental significance;
(e) to the extent practicable, a recommendation for any conditions of approval for the project that may be imposed to address impacts identified in the assessment process on matters of national environmental significance.

(2) In this section—

relevant submission means a properly made submission under section 55(2) of the Act or a submission accepted by the chief executive under section 55(3) of the Act.

10 Other requirements for EIS process

The chief executive must, as soon as practicable after preparing an EIS assessment report, give a copy of it to the Commonwealth Minister.
Part 3 Prescribed periods for chapter 3 of the Act

11 Period to advise chief executive about draft terms of reference—Act, s 45

For section 45 of the Act, the period for giving the chief executive the things mentioned in that section is the later of the following periods to end—

(a) 20 business days after the chief executive has given the proponent a copy of all comments received within the comment period;

(b) if the chief executive and the proponent have, within the 20 business days, agreed to a longer period—the longer period.

12 Period for finalising terms of reference—Act, s 46

For section 46(1) of the Act, the period for doing the things mentioned in section 46(1) of the Act is the later of the following periods to end—

(a) 20 business days after the proponent gives the documents mentioned in section 45 of the Act to the chief executive;

(b) if the chief executive and the proponent have, within the 20 business days, agreed to a longer period—the longer period.

13 Period for deciding whether EIS may proceed—Act, s 49

For section 49(1) of the Act, the period for considering a submitted EIS and deciding whether to allow it to proceed under chapter 3, part 1, division 4 of the Act is the later of the following periods to end—
[s 14]

(a) 20 business days after the EIS is submitted;

(b) if the chief executive and the proponent have, within the 20 business days, agreed to a longer period—the longer period.

Chapter 3 Environmentally relevant activities

Part 1 Environmentally relevant activities—general matters

Division 1 Preliminary

14.13 What is the aggregate environmental score for an environmentally relevant activity?[14]

(1) The aggregate environmental score for a prescribed ERA is the aggregate environmental score stated for the activity in the section under schedule 2 applying to the activity.

Note—

Aggregate environmental scores for environmentally relevant activities are based on the aggregate environmental scores worked out for the activities under the environmental emission profile.

(2) The aggregate environmental score for a resource activity is the aggregate environmental score stated for the activity in the section under schedule 2A.3 applying to the activity.

(3) However, subsection (4) applies for a resource activity mentioned in schedule 2A.3, if—

(a) the activity includes 1 or more activities mentioned in schedule 2 (each an included schedule 2 activity) for which an AES is stated; and
(b) the AES stated in schedule 2 for an included schedule 2 activity is more than the AES stated in schedule 2A for the resource activity.

(4) The *aggregate environmental score* for the resource activity is—

(a) the AES for the included schedule 2 activity; or

(b) if there are 2 or more included schedule 2 activities to which subsection (3)(b) applies—the AES for the included schedule 2 activity that has the highest AES stated for the activity in schedule 2.

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### 14 Meaning of scheduled area

*A scheduled area* is—

(a) a local government area mentioned in schedule 12, part 1; or

(b) a part of a local government area mentioned in schedule 12, part 2.

### 15 Meaning of scheduled area

*A scheduled area* is a local government area mentioned in schedule 4.

### 16 Meaning of concurrence ERA

**Meaning of concurrence ERA**

(1) An activity is a *concurrence ERA* if—

(a) the activity is a prescribed ERA; and

(b) the threshold within which the activity is carried out is stated opposite the letter ‘C’ in the relevant table.

(2) However, a mobile and temporary environmentally relevant activity is not a concurrence ERA.
(3) In this section—

*relevant table*, for an activity, means the table in the section of schedule 2 that applies to the activity.

*Note*—
For when a development permit is required for a concurrence ERA, see the Planning Act.

**16A. Reference to carrying out particular environmental activities in a year for particular environmental authorities**

(1) This section applies for a prescribed ERA or a resource activity being carried out under an environmental authority.

(2) A reference in schedule 2 or schedule 2A to the activity being carried out in a year is a reference to the activity being carried out in the following period during—

(a) for the first year of the environmental authority—the period of 1 year starting on the day the authority takes effect; or

(b) otherwise—the period of 1 year starting on an anniversary day for the authority.

**Division 2 Prescribed activities**

**17 Activities prescribed as environmentally relevant activities—general**

*Activities prescribed as environmentally relevant activities—Act, s 19 [17]*

(1) Each activity to which a section under schedule 2 applies is a prescribed ERA.
(2) An activity to which a section under schedule 2 applies includes the activity carried out as a mobile and temporary environmentally relevant activity, unless the section otherwise provides.

**Note—**
See schedule 4, definition mobile and temporary environmentally relevant activity of the Act.

### 17A.18 Activities prescribed as extractive activities—Act, s 120

For section 120(4) of the Act, definition extractive activity, the prescribed activities are the extractive and screening activities mentioned in schedule 2, part 4 section 16 are an extractive activity.

### Division 3A Development application relating to concurrence ERAs

#### 19B.19 Assessing development application for concurrence ERA

1. Subsection (2) applies if a local government is the assessment manager for a development application for a material change of use for a concurrence ERA.

2. Each of the following matters are an assessment benchmark for the Planning Act for the material change of use—

   (a) an environmental objective assessment against the environmental objectives and performance outcomes stated in schedule 5, part 3, table division 2;
(b) the standard criteria;
(c) if the concurrence ERA is to be carried out in a strategic environmental area—the impacts of the activity on the environmental attributes for the area under the Regional Planning Interests Act 2014.

(3) Subsection (4) applies if a local government is a referral agency for a development application for a material change of use for a concurrence ERA.

(4) For the Planning Act, the local government must assess the development application against the matters stated in subsection (2)(a) to (c).

Division 4 Other matters

21 Untreated clinical waste disposal

20 Untreated clinical waste disposal [21]

(1) A person must not deliver untreated clinical waste to a facility for disposal under schedule 2, section 60(1)(b) unless the waste was generated in a scheduled area.

Maximum penalty—20 penalty units.

(2) Subsection (3) applies to the occupier of a facility mentioned in schedule 2, section 60(1)(a) or (b) if untreated clinical waste is disposed of at the facility.

(3) The occupier must ensure—
(a) the waste is buried at the facility; and
(b) the burial of the waste is supervised by a person who is competent to supervise the burial.

Maximum penalty—20 penalty units.
Part 1A2 Agricultural ERAs

Division 1 Fertiliser application requirements

22B Application of div 1

21 Application of division [22B]

This division applies to a person carrying out an agricultural ERA that is commercial sugar cane growing on a relevant agricultural property.

22C Prescribed methodology for optimum nitrogen and phosphorus amounts—Act, s 80 s 80 [22C]

(1) For section 80(3) of the Act, the prescribed methodology is the methodology stated in the document ‘The method for working out calculating the optimum amount of each of nitrogen and phosphorus that can to be applied to soil sugarcane properties regulated under the Environmental Protection Act 1994’, published on the relevant agricultural property is the relevant methodology stated in the nutrient calculation document department’s website.

(2) In this section—

nutrient calculation document means the document called ‘The method for calculating the optimum amount of nitrogen and phosphorus to be applied to sugarcane properties regulated under the Environmental Protection Act 1994’, published by the department.

Editor’s note—

A copy of the document is available for inspection during office hours on business days at the department’s head office at level 3, 400 George Street, Brisbane and at each regional office, and on the department’s website.
22D Prescribed intervals for soil testing—Act, s 81 [22D]

For section 81(3)(a) of the Act, the prescribed intervals for carrying out soil tests of the relevant agricultural property are within 1 year before each sugar cane crop is planted.

22E Prescribed methodology for soil testing—Act, s 81 [22E]

(1) For section 81(3)(b) of the Act, the prescribed methodology for carrying out soil tests of the relevant agricultural property is the methodology stated in the soil sampling document.

(2) In this section—

soil sampling document means For section 81(3)(b) of the Act, the methodology is the methodology stated in the document called ‘The method for soil sampling and analysis on sugarcane properties regulated under the Environmental Protection Act 1994’, published by on the department’s website.

Editor’s note—

A copy of the document is available for inspection during office hours on business days at the department’s head office at level 3, 400 George Street, Brisbane and at each regional office, and on the department’s website.

Division 2 Document requirements

22F Prescribed matters for agricultural ERA record—Act, s 83 [22F]

For section 83(2)(d) of the Act, the following matters are prescribed—

(a) the boundaries of the following, as shown by maps or diagrams of the relevant agricultural property—

(i) crops or paddocks from which soil has been taken for testing;
(ii) the areas to which agricultural chemicals, fertilisers or soil conditioners have been applied;

(b) a description of the methods used to apply the agricultural chemicals, fertilisers or soil conditioners.

Part 23
Precribed matters for particular resource activities

23 Designated environmental areas

26 Designated environmental areas [23]

For schedule 44 of the Act, definition small scale mining activity, paragraphs (a)(vi) and (b)(v), each of the Act, the following areas are prescribed as designated environmental areas—

(a) for each agricultural research facility mentioned in schedule 2B of the Act, the area with the land description shown opposite the facility’s name;

(b) a coastal management district under the Coastal Protection and Management Act 1995;

(c) coastal wetlands under the Coastal Protection and Management Act 1995;

(d) the designated landscape area called ‘the Stanbroke Pastoral Development Holding’ recorded on the register under the Aboriginal Cultural Heritage Act 2003, section 162;

(e) a nature refuge under the Nature Conservation Act 1992;

(f) a reservation for public purposes under the Land Act 1994, section 23;

(g) a resources reserve under the Nature Conservation Act 1992;
(h) a State forest under the *Forestry Act 1959*;

(i) a timber reserve under the *Forestry Act 1959*.

### 23A27 Prescribed conditions for small scale mining activities—
**Act, s 21A s 21A [23A]**

For section 21A of the Act, the conditions stated in schedule 2C are prescribed.

### 24AA Prescribed documents for application for environmental authority for a CSG activity—
**Act, s 125 s 125 [24AA]**

(1) For section 125(1)(o) of the Act, the documents prescribed for an application for an environmental authority for a CSG activity that is an ineligible ERA are—

(a) documents dealing with each of the following matters about coal seam gas water generated in connection with carrying out the CSG activity—

(i) whether the proposed management of the coal seam gas water is consistent with the coal seam gas water management policy, including the prioritisation hierarchy for managing and using coal seam gas water;

(ii) if the proposed management of the coal seam gas water is inconsistent with the prioritisation hierarchy for managing and using coal seam gas water—the reason for managing the coal seam gas water in the proposed way; and

(b) documents dealing with each of the following matters for brine or salt generated from the management of the coal seam gas water mentioned in paragraph (a)—
(i) whether the proposed management of the brine or salt is consistent with the coal seam gas water management policy, including the prioritisation hierarchy for managing saline waste;

(ii) if the proposed management of the brine or salt is inconsistent with the prioritisation hierarchy for managing saline waste—the reason for managing the coal seam gas water in the proposed way.

(2) In this section—

prioritisation hierarchy means—

(a) for managing and using coal seam gas water—the prioritisation hierarchy for managing and using CSG water stated in the coal seam gas water management policy; or

(b) for managing saline waste—brine and salt—the prioritisation hierarchy for managing saline waste stated in the coal seam gas water management policy.

Part 34  
ERA standards for environmentally relevant activities

24B  
ERA standards

29  
Approval of ERA standards—Act, s 318D's 318D [24B]

For section 318D of the Act, an ERA standard stated in a document mentioned in schedule 3B is approved.

An ERA standard stated in a document mentioned in schedule 11 is approved under section 318D of the Act.
Chapter 4  Regulatory requirements

Part 1  Preliminary

Division 1  Purpose

46  Purpose of ch 4

30  Purpose of chapter [46]

This chapter prescribes the regulatory requirements with which the administering authority is required to comply for making environmental management decisions.

Division 2  Interpretation

47  Definitions for ch 4

31  Definitions for chapter [47]

In this chapter—

*activity* includes that part, if any, of an activity relating to the following—

(a) preparing a place for the activity before carrying out the activity;

(b) rehabilitating a place after it has been used for carrying out the activity.

*characteristic*—

(a) of a contaminant, material or waste, means any of the following—
(i) the physical and chemical properties and reactivity of the contaminant, material or waste;
(ii) the biological, carcinogenic, mutagenic or toxic properties of the contaminant, material or waste;
(iii) the variation of the concentration, emission rate or flux over time, of the contaminant, material or waste; or

(b) of the receiving environment, means any of the following—
(i) the physical, chemical, ecological or biological properties of the receiving environment;
(ii) the variability of the receiving environment.

Example of variability of the receiving environment—
whether a watercourse is tidal or is subject to periodic flooding or drought

control measure means a device, equipment, structure, or management strategy used to prevent or control the release of a contaminant or waste to the environment.

Examples—
• an acoustic enclosure
• a bund around a storage pond
• a fabric filter to collect dust
• a release or overflow valve on machinery
• a strategy for operating a furnace in a way that achieves combustion of a contaminant at a particular oxygen level

environmental management decision see section 4832.

initial mixing zone means an area where water containing contaminants mixes rapidly with surface water because of the momentum or buoyancy of the contaminated water and the turbulence of the surface water.

material means a material in its solid, liquid or gaseous state.

monitoring see section 4933.
relevant site, for an activity, means a place where the activity is, or is proposed to be, carried out.

surface water means water other than groundwater.

water includes water containing contaminants.

48 Meaning of environmental management decision

32 Meaning of environmental management decision [48]

(1) An environmental management decision is a decision under the Act for which the administering authority making the decision is required to comply with regulatory requirements.

(2) However, an environmental management decision does not include a decision under the Act about—

(a) the surrender of an environmental authority; or

(b) an application for an amendment of an environmental authority that is a minor amendment; or

(c) an application for a progressive certification application.

49 Meaning of monitoring

33 Meaning of monitoring [49]

Monitoring, in relation to monitoring the impact of an activity on the receiving environment, includes analysing, assessing, examining, inspecting, measuring, modelling or reporting any of the following matters—

(a) the quantity, quality, characteristics, timing and variability of the release of any contaminant;

(b) the effectiveness of any control measure;

(c) the characteristics of, and impact on, the receiving environment;
(d) the effectiveness of remedial or rehabilitation measures.

Part 2 Regulatory requirements for all environmental management decisions

Division 1 Regulatory requirements for all environmental management decisions—general

50 Application of pt 2

34 Application of part [50]

This part applies to the administering authority for making any environmental management decision.

51, 35 Matters to be complied with for environmental management decisions

(1) The administering authority must, for making an environmental management decision relating to an environmentally relevant activity, other than a prescribed ERA—

(a) carry out an environmental objective assessment against the environmental objective and performance outcomes mentioned in schedule 5, part 3, tables 1 and 2; and

(b) consider the environmental values declared under this regulation; and

(bac) if the activity is to be carried out in a strategic environmental area—consider the impacts of the activity
52 Conditions to be considered for environmental management decisions [52]

(1) The administering authority must, for making an environmental management decision relating to an activity, consider whether to impose conditions about each of the following matters—
(a) implementing a system for managing risks to the environment;

(b) implementing measures for avoiding, to prevent or minimising, the release of contaminants or waste;

(c) ensuring an adequate distance between any sensitive receptors and the relevant site for the activity to which the decision relates;

Examples of a condition for paragraph (c)—

- a condition requiring riparian buffers, noise buffers or buffers for protecting endangered regional ecosystems

(d) limiting or reducing the size of the initial mixing zone or attenuation zone, if any, that may be affected by the release of contaminants;

(e) treating contaminants before they are released;

(f) restricting the type, quality, quantity, concentration or characteristics of contaminants that can, may be released;

(g) managing the way in which contaminants may be released;

Examples of a condition for paragraph (g)—

- a condition restricting the release of a contaminant at a particular temperature, velocity or rate or during particular meteorological conditions or water flows
- a condition restricting the release of a contaminant to a depth below the level of surface waters

(h) ensuring a minimum degree of dispersion happens when a contaminant is released;

Example of a condition for paragraph (h)—

- a condition requiring the use of a diffuser for releasing a contaminant

(i) protecting environmental values, and meeting quality objectives, under relevant environmental protection policies;
(j) recycling, storing, transferring or disposing of waste in a particular way;

(k) rehabilitating land to achieve particular outcomes;

(l) implementing measures for the ongoing protection of environmental values that are, or may be, adversely affected by the activity;

(m) if under an environmental objective assessment, the assessor is not satisfied an environmental objective has been achieved, implementing measures for minimising the adverse effects of not achieving the environmental objective.

(2) In this section—

attenuation zone means the area around a release of contaminants to groundwater in which the concentration of the contaminants in the release is reduced to ambient levels through physico-chemical and microbiological processes.

initial mixing zone means an area where water containing contaminants mixes rapidly with surface water because of the momentum or buoyancy of the contaminated water and the turbulence of the surface water.

relevant site, for an activity, means a place where the activity is, or is proposed to be, carried out.

37 Matters to be considered for decisions imposing monitoring conditions [53]

(1) The administering authority must, for making an environmental management decision relating to an activity, consider whether to impose monitoring conditions about the release of contaminants from the activity on the receiving environment.

(2) For considering whether to impose a monitoring condition, the administering authority must consider the following matters—
(a) the potential impact on the receiving environment of—
   (i) the activity to which the decision relates; and
   (ii) the potential impact on the receiving environment of the activity to which the decision relates and the release of the contaminant;

(b) the characteristics of the contaminant;

(c) the potential for a control measure to fail and the effect of a failure of a control measure on the receiving environment;

(d) any protocol under the protocols—Act relevant to monitoring the release of the contaminant;

(e) whether the monitoring should be continuous or intermittent.

(3) In this section—

monitoring condition, about the release of contaminants from an activity on the receiving environment, means a condition about any of the following matters—

(a) monitoring the quantity, quality, characteristics, timing and variability of the release;

(b) monitoring indicators of the effective operation of control measures;

(c) monitoring the characteristics of the receiving environment;

(d) assessing the effectiveness of remedial or rehabilitation measures;

(e) monitoring the impact of the release on the values, objectives and biota in the receiving environment;

(f) analysing monitoring data against objectives and standards including, for example, by predictive modelling;

(g) reporting the results of monitoring in a stated form and timeframe;
(h) reporting on the time and way in which the release is made to the receiving environment.

53A38 Prescribed standard criteria for environmental management decisions

For schedule 4 of the Act, definition standard criteria, paragraph (l), an environmental objective assessment relating to an environmental management decision is prescribed.

Part 3 Additional regulatory requirements for particular environmental management decisions

54 Application of pt 3

39 Application of part [54]

If an environmental management decision relates to an activity mentioned in a provision in this part, the administering authority making the decision must comply with the provision in addition to part 2.

5840 Release of water or waste to wetlands for treatment

(1) This section applies to the administering authority for making an environmental management decision relating to an activity that involves, or may involve, the release of water or waste to a wetland for treatment.

(2) The administering authority must refuse to grant the application if the authority considers that, because of the activity—
(a) the wetland will may be destroyed or reduced in size; or
(b) the biological integrity of the wetland may not be maintained.

63 (3) In this section—

biological integrity, of water or a wetland, means the ability of the water or wetland to support and maintain a balanced, integrative, adaptive community of organisms having a species composition, diversity and functional organisation comparable to that of the natural habitat of the locality in which the water or wetland is located.

41 Activity involving direct release of waste to groundwater [63]

(1) This section applies to the administering authority for making an environmental management decision relating to an activity that involves, or may involve, the release of waste directly to groundwater (the receiving groundwater).

Example of direct release of waste to groundwater—

an activity involving the release of contaminated water to groundwater through a well, deep-well injection or a bore

(2) The administering authority must refuse to grant the application if the authority considers—

(a) for an application other than an application relating to an environmental authority for a petroleum activity—the waste is not being, or may not be, released entirely within a confined aquifer; or

(b) the release of the waste is affecting adversely, or may affect adversely, a surface ecological system; or

(c) the waste is likely to result in a deterioration in the environmental values of the receiving groundwater.

(3) In this section—
**Chapter 5  Matters relating to environmental management and environmental offences**

**Part 1  Categorisation of commercial waste and industrial waste**

**Division 1  Regulated waste, category 1 regulated waste and category 2 regulated waste**

### 64  Meaning of regulated waste

**42  Meaning of regulated waste** [64]

(1) *Regulated waste* is waste that—

(a) is commercial waste or industrial waste; and

(b) is of a type, or contains a constituent of a type, mentioned in schedule 1, part 1, column 1.

(2) Waste prescribed under subsection (1) includes—

(a) for an element—any chemical compound containing the element; and

(b) anything that contains residues of the waste, including, for example, a container contaminated with the waste.

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*confined aquifer* means an aquifer that is contained entirely within impermeable strata.
(3) However, waste is not *regulated waste* if the waste is of a type mentioned in schedule 7, schedule 14, part 3, division 1.

(4) Also, waste is not *regulated waste* if current test results for the waste state that—

(a) for each relevant attribute, the waste satisfies the requirement mentioned in—

(i) for solid waste—column 2 of the attribute table opposite the attribute; or

(ii) for liquid waste—column 3 of the attribute table opposite the attribute; and

(b) for each relevant substance, the concentration of the substance in the waste is less than the threshold mentioned in—

(i) for solid waste—column 2 of the substance table opposite the substance; or

(ii) for liquid waste—column 3 of the substance table opposite the substance.

### 64A43 Meaning of category 1 regulated waste and category 2 regulated waste [64A]

(1) Regulated waste is *category 1 regulated waste* if—

(a) the waste is either—

(i) liquid waste; or

(ii) solid waste that does not have current test results; and

(b) both of the following apply—

(i) the waste is of a type, or contains a constituent of a type, mentioned in schedule 7, schedule 14, part 1, column 1;
(ii) the category mentioned in schedule 7 schedule 14, part 1, column 2 opposite the type is category 1.

(2) Also, regulated waste is \textit{category 1 regulated waste} if—

(a) the waste is solid waste; and

(b) current test results for the waste state that—

(i) the pH of the waste is less than 2 or more than 12.5; or

(ii) for a relevant substance, the concentration of the substance in the waste is more than the threshold mentioned in column 2 of the threshold table opposite the substance.

(3) \textit{Category 1 regulated waste} includes anything that contains residues of the waste, including, for example, a container contaminated with the waste.

(4) \textit{Category 2 regulated waste} is regulated waste other than category 1 regulated waste.

\section*{Division 2 Testing waste}

\textbf{64B44 Purpose of division}

\textbf{Purpose of division [64B]}

This division states requirements for sampling and testing commercial waste or industrial waste for working out whether the waste is—

(a) general waste; or

(b) category 1 regulated waste; or

(c) category 2 regulated waste.
64C Taking samples

45 Taking samples [64C]

A sample for the testing of commercial waste or industrial waste must be taken—
(a) by an appropriately qualified person; and
(b) under a protocol.

64D Testing samples

46 Testing samples [64D]

A sample of commercial waste or industrial waste must be tested—
(a) by an appropriately qualified person; and
(b) under a protocol; and
(c) for each relevant attribute; and
(d) for each relevant substance.

64E Retesting of waste

Retesting of waste [64E]

An authorised person may ask a person who generates waste to retest the waste under this division if the authorised person reasonably suspects—
(a) if the waste is general waste—the waste would, if retested under this division, become regulated waste; or
(b) if the waste is category 2 regulated waste—the waste would, if retested under this division, become category 1 regulated waste.
Results of testing

48 Results of testing [64F]

(1) The results (test results) of a test of commercial waste or industrial waste under section 64D are current for the waste from the date of the report for the test (the report date) until the earliest of the following—
   (a) the end of 3 months after the report date;
   (b) if an authorised person makes a request under section 47—the date of the request;
   (c) if the waste is retested under this division—the date of the report date for the retest.

(2) Test results for waste generated by an activity continue to be current test results for further waste generated by the same activity until either of the following changes in a material way—
   (a) the activity;
   (b) the waste generated by the activity.

Examples of when waste generated by an activity changes in a material way—

1 Materials of a different type or quality become involved in the generation of the waste.
2 New or different processes become involved in the generation of the waste.

(3) In this section—

report, for a test, means a report, written by the person who conducted the test, stating the results of the test.

64G Offence relating to sampling and testing [64G]

A person must not wilfully—
   (a) tamper with a sample of waste taken under section 64C; or
(b) interfere with the testing of a sample of waste under section 64D; or
(c) otherwise jeopardise the accuracy of test results for waste.

Maximum penalty—100 penalty units.

Division 3 Notification, reporting and record keeping

64H50 Definitions for division

In this division—
generator, of tested waste, means the person who generates the waste.
prescribed information, for a load of tested waste transported to a receiver, means information about—
(a) whether the load is general waste or regulated waste; and
(b) if the load is regulated waste—whether the load is category 1 regulated waste or category 2 regulated waste; and
(c) the current test results for the waste.
receiver, of tested waste, means a person to whom the waste is transported.
tested waste means waste that has current test results.

64I51 Generator must notify and report changes

(1) This section applies if—
(a) on the retesting of general waste under division 2, the waste becomes regulated waste; or

(b) on the retesting of category 2 regulated waste under division 2, the waste becomes category 1 regulated waste.

(2) The generator of the waste must notify the administering authority of the change within 24 hours after receiving the test results for the retesting.

Maximum penalty—20 penalty units.

(3) Within 10 business days after receiving the test results for the retesting of the waste, the generator of the waste must give the administering authority a written report stating—

(a) the test results for the retesting; and

(b) the results of testing last carried out for the waste under division 2 before the test results mentioned in paragraph (a) were received; and

(c) the results of any further testing of the waste to confirm the test results mentioned in paragraph (a); and

(d) if a load of the waste is being transported at the time of the change—details of the load, including the volume and destination of the load; and

(e) the action, if any, the generator proposes to take as a result of the change.

Maximum penalty—20 penalty units.

(4) A notice or report given by the generator under this section is not admissible in evidence against the generator in a prosecution for an offence against this Act.

(5) Subsection (4) does not prevent other evidence obtained because of the notice or report, or the giving of the notice or report, being admitted in any legal proceeding against the generator.
Generator must keep records

A generator of tested waste in the State must, for each load of the waste transported to a receiver, record the prescribed information for the load in the approved form.

Maximum penalty—20 penalty units.

The generator must, before or when the load is given to a receiver, give the prescribed information for the load to the receiver.

The generator must keep the record mentioned in subsection (1) for at least 5 years.

Maximum penalty—20 penalty units.

Receiver must keep records

This section applies if a receiver in the State is given a load of tested waste.

The receiver must, before or when the receiver is given the load, make a record of the prescribed information for the load in the approved form.

Maximum penalty—20 penalty units.

Within 24 hours of becoming aware of an omission or inaccuracy in the prescribed information, the receiver must give written notice of the omission or inaccuracy to the administering authority.

Maximum penalty—20 penalty units.

The receiver must keep the record mentioned in subsection (2) for at least 5 years.

Maximum penalty—20 penalty units.
Part 1A2  Public notice for notifying environmental harm

65A  Prescribed matters for Act, s 320, definition public notice

54  Public notices—Act, s 320, definition public notice [65A]

(1) This section prescribes, for section 320 of the Act, definition public notice, the prescribed way to give public notice of an event under section 320C(3)(b) or 320D(3)(b) of the Act.

(2) For section 320 of the Act, definition public notice, the prescribed way is a way likely to bring the event, its nature and the circumstances in which it happened to the attention of persons on the affected land.

(a) if the public notice is required to be given under section 320C(3)(b) of the Act—the persons on the affected land; or

(b3) if the public notice is required to be given under section 320D(3)(b) of the Act—the persons at the affected land.

(2) Also for that definition, the prescribed circumstances are all circumstances in which a public notice for an event must be given—

(a) under section 320C(3)(b) of the Act unless a written notice is given under section 320C(3)(a) of the Act for the event; or

(b) under section 320D(3)(b) of the Act unless a written notice is given under section 320D(3)(a) of the Act for the event.

(3) Without limiting subsection (1), the prescribed way includes the following—

(a) broadcasting the notice by radio or television; and
(b) publishing the notice in a newspaper; and

(c) by erecting or installing a sign with a surface area of at least 1m² in the vicinity of the affected land.

(4) In this section—

event means an event mentioned in section 320A(1) of the Act.

Part 23 Contaminated land

67 Regulated waste is prescribed waste for schedule 3, item 37 of the Act.

Part 34 Noise

Division 1 Prescribed standards

56 Prescribed standards for particular noise standards

Prescribed standards for background level, Z Peak and Z Peak Hold [68]

(1) For section 440K of the Act, definition background level, the prescribed standard is AS 1055.

(2) For section 440K of the Act, definitions Z Peak and Z Peak Hold, the prescribed standard is AS IEC 61672.

Editor's note—

Notes—

1 For references to prescribed standards, see section 579C of the Act.
Division 2  Measuring noise

69  Purpose of div 2

This division provides for ways in which noise may be measured to help in deciding whether an environmental nuisance has been caused, or a noise standard has been contravened, by an emission of noise.

Notes—

1. See sections 440 (Offence of causing environmental nuisance) and 440Q (Offence of contravening a noise standard), see section 440 of the Act.

70  Definition for div 2

2. For the offence about contravening a noise standard, see section 440Q of the Act.

58  Definition for division [70]

In this division—

source noise means a noise from a person, place or thing that—

(a) is measured over a time interval of at least 15 minutes or, if the noise continues for less than 15 minutes, the duration of the source noise; and

(b) allows for adjustments under AS 1055 for tonal character and impulsiveness of sound; and

(c) is quoted to the nearest whole number of decibels.
71 Measuring background level

59 Measuring background level [71]
Background level may be measured by applying the relevant procedure under—
(a) AS 1055; or
(b) the noise measurement manual.

72 Measuring source noise

60 Measuring source noise [72]
Source noise may be measured by applying the relevant procedure under—
(a) AS 1055; or
(b) the noise measurement manual.

73 Measuring source noise for particular noise standards [73]

1 Source noise for a noise standard under section 440T, 440U or 440V of the Act may be measured as $L_{A90,T}$.

2 Source noise for a noise standard under section 440W, 440X or 440Y of the Act may be measured as $L_{Aeq,T}$.

3 In this section—
$L_{Aeq,T}$ means the value of the A-weighted sound pressure level of a continuous steady sound that within a measurement time interval (T) has the same mean square sound pressure as a sound under consideration the level of which varies over time.
Measurement of noises of same type from same premises [74]

If 2 or more noises of the same type happen simultaneously at the same premises, they may be measured as if they are 1 noise of that type happening at the premises.

Examples—

1. A number of concerts happen simultaneously at different places at the same premises. A building is affected by noise from more than 1 of the concerts. The noises may be measured as if they were from 1 concert.
2. A premises is used as a stopover depot for trucks with refrigerators. A building is affected by noise from the use of more than 1 of the refrigerators. The noises may be measured as if they were from 1 refrigerator.

Prescribed instruments, equipment and installations—Act, s 490(8) [75]

Each instrument, equipment and/or installation identified in AS IEC 61672 is prescribed for section 490(8) of the Act.

Evidentiary provision [76]

A copy of each of the following is admissible in evidence in a proceeding under the Act—

(a) AS 1055;
(b) the noise measurement manual.
Environmental Protection Regulation 2019
Chapter 5 Matters relating to environmental management and environmental offences
Part 45 Water contamination

[s 77]

Part 45 Water contamination

7765 Prescribed water contaminants—Act, ch 8, pt 3C s 440ZF [77]
Each for contaminants mentioned in schedule 9 is prescribed as a contaminant for chapter 8, part 3C of the Act.

Part 56 Air contamination

7866 Prescribed standards for particular offences relating to air contamination [78]
For section 440ZL of the Act, an Australian and New Zealand standard as in force from time to time under each of the following designations (regardless of the edition or year of publication of the standard) is a prescribed standard—

(a) AS/NZS 4012 (Domestic solid fuel burning appliances—Method for determination of power output and efficiency);
(b) AS/NZS 4013 (Domestic solid fuel burning appliances—Method for determination of flue gas emission).

Notes—
1 For references to prescribed standards, see section 579C of the Act.
2 A copy of the prescribed standards may be inspected, free of charge, during business hours at the department’s head office.
Part 67 Record keeping requirements for particular fuel suppliers

79 Application of pt 6

Record-keeping requirements for manufacture or import of fuel

67 Application of part [79]

This part states the records that a person must keep under section 440ZY(2) of the Act.

80 Records kept by manufacturer

68 Records kept by manufacturer [80]

(1) This section applies if the person manufactures the fuel.

(2) The person must keep records of the following matters—

(a) the kind and grade of fuel manufactured, or its product code;

(b) the quantity of fuel manufactured;

(c) details of any testing done on the fuel, including—

(i) the date of each test; and

(ii) records by which the fuel tested can be traced to delivery docket numbers for the fuel; and

(iii) the test methods used; and

(iv) the results of the tests;
(d) for each supply of fuel—
   (i) how the fuel was supplied; and
   (ii) the quantity supplied; and
   (iii) the kind and grade of fuel, or its product code; and
   (iv) to whom it was supplied; and
   (v) delivery docket numbers;

(e) records by which the fuel supplied can be traced to
delivery docket numbers for the fuel;

(f) records by which each receipt of fuel into the person’s
tanks can be traced to fuel supplied from the tanks;

(g) stock reconciliation records.

(3) Subsection (2)(g) does not apply to fuel for which it is not
possible for the person to keep separate reconciliation records.

81 Records kept by importer

69 Records kept by importer [81]

(1) This section applies if the person imports the fuel.

(2) The person must keep records of the following matters—
   (a) the kind and grade of fuel manufactured, or its product
code;
   (b) the quantity of fuel manufactured;
   (c) details of any testing done on the fuel, including—
      (i) the date of each test; and
      (ii) records by which the fuel tested can be traced to
delivery docket numbers for the fuel; and
      (iii) the test methods used; and
      (iv) the results of the tests;
   (d) for each supply of fuel—
(i) how the fuel was supplied; and  
(ii) the quantity supplied; and  
(iii) the kind and grade of fuel, or its product code; and  
(iv) to whom it was supplied; and  
(v) delivery docket numbers;  
(e) records by which the fuel supplied can be traced to delivery docket numbers for the fuel;  
(f) records by which each receipt of fuel into the person’s tanks can be traced to fuel supplied from the tanks;  
(g) stock reconciliation records.

(3) Subsection (2)(g) does not apply to fuel for which it is not possible for the person to keep separate reconciliation records.

Part 78 Wetlands

81A Environmental values for wetlands

For section 9(b) of the Act, the qualities of a wetland that support and maintain the following are environmental values—

(a) the health and biodiversity of the wetland’s ecosystems;  
(b) the wetland’s natural state and biological integrity;  
(c) the presence of distinct or unique features, plants or animals and their habitats, including threatened wildlife and near threatened wildlife under the Nature Conservation Act 1992;  
(d) the wetland’s natural hydrological cycle;  
(e) the natural interaction of the wetland with other ecosystems, including other wetlands.
81B70 Prescribed maximum amount for chemicals—Act, s 206 of 206 [81B]

(1) For section 206(4)(a) of the Act, definition restricted stimulation fluids, paragraph (a), the prescribed maximum amounts are as follows—

(a) for benzene—1 part in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid;

(b) for ethylbenzene—80 parts in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid;

(c) for toluene—180 parts in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid;

(d) for m-xylene—75 parts in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid;

(e) for o-xylene—350 parts in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid;

(f) for p-xylene—200 parts in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid.

(2) For section 206(4)(b) of the Act, definition restricted stimulation fluids, paragraph (b), the prescribed maximum amount of a chemical is the amount of the chemical that produces or would be likely to produce, whether on its own or in combination with another chemical, more than any of the following as it breaks down in the environment—
(a) 1 part in a billion of benzene;
(b) 80 parts in a billion of ethylbenzene;
(c) 180 parts in a billion of toluene;
(d) 75 parts in a billion of m-xylene;
(e) 350 parts in a billion of o-xylene;
(f) 200 parts in a billion of p-xylene.

(3) To remove any doubt, it is declared that the amount of a chemical mentioned in subsection (1) or (2) is not measured in relation to water included in the restricted stimulation fluid.

Part 9 Waste tracking

Division 1 Preliminary

81C Waste transportation to which this part applies

(1) This part applies to the transportation of regulated waste of a type stated in schedule 2E (trackable waste).

(2) However, this part does not apply to—
   (a) the non-commercial transportation of less than 250kg of trackable waste; or
   (b) the transportation of trackable waste in a pipeline; or
   (c) the transportation of trackable waste under an exemption given by the administering authority under section 81Y; or
   (d) the transportation of trackable waste in a container if—
      (i) the amount of trackable waste is not more than 5% of the capacity of the container; and
      (ii) the container is being transported to a place to be refilled with the same substance as the waste,
without undergoing a process before the refilling; or

(e) the transportation of fly ash from a power station to a place for use in the treatment of waste in a way that involves combining the waste with the ash; or

(f) the transportation of trackable waste to an accredited laboratory for analysis; or

(g) the transportation of trackable waste in an emergency, if the transportation is to protect the environment, human health or property; or

(h) the transportation of chemicals from a farm if—

(i) the chemicals are transported by—

(A) the owner or occupier of the farm; or

(B) another person for free; and

(ii) the chemicals are being transported to a place that disposes of agricultural or veterinary chemicals in accordance with a product stewardship; or

(i) the transportation of trackable waste in accordance with a product recall—

(i) by the Australian Pesticides and Veterinary Medicines Authority; or

(ii) reported to Food Standards Australia New Zealand; or

(iii) by the Therapeutic Goods Administration; or

(j) the transportation of trackable waste to a place for use as stock food; or

(k) the transportation of trackable waste to a farm for use as a soil conditioner or fertiliser.

(3) In this section—

*accredited laboratory* means a laboratory accredited by the National Association of Testing Authorities.
81D Waste-handlers

72 Meaning of waste handlers, generator, transporter and receiver [81D]

(1) If there is a transportation of trackable waste to which this part applies, the following persons are the waste handlers for the waste—

(a) the person (the generator) from whom the trackable waste is transported (whether the person generated the waste or received it from someone else);

(b) the person (the transporter) who transports the waste;

(c) the person (the receiver) to whom the waste is transported.

(2) If a person acts in more than 1 of the capacities mentioned in subsection (1), the person must comply with this part for each of the capacities.

Example—

A person generates a load of trackable waste and transports it to someone else for treatment. The first person must comply with this part, in relation to the load, as both the generator and transporter of the waste.

81DA Fee for giving prescribed information

73 Fee for giving prescribed information [81DA]

(1) A waste handler must pay the fee stated in this section to the chief executive when the waste handler gives prescribed information about the transportation of trackable waste to the administering authority.

(2) The fee is—

(a) for information given in the way prescribed under section 81F section 75(a)—$5.10; or
(b) for information given in the way prescribed under section 81F—$3.00; or

(c) for information given in the way prescribed under section 81F(c) or (d)—$2.14 for each load of trackable waste mentioned in the form used to give the information.

Division 2 Prescribed matters for giving of information

7481E Prescribed information

Prescribed information [81E]

For this part, the prescribed information that a waste handler must record, or give to the administering authority or another waste handler, is the relevant information stated in schedule 2 relating to the waste handler.

81F75 Prescribed way of giving information [81F]

The prescribed way of giving prescribed information about the transportation of trackable waste is giving the information—

(a) using the paper form of the prescribed form; or

(b) using the electronic form of the prescribed form, by electronically transmitting the form to the administering authority using the online system on the department’s website; or

(c) using the electronic spreadsheet form of the prescribed form, by electronically transmitting the form to the administering authority using the online system on the department’s website; or

(d) in a way approved under section 81W.
81G  Prescribed time for giving information

76  Prescribed period for giving information [81G]

For this part, the prescribed time period for giving prescribed information about waste to the administering authority is—

(a) if the information is given in the prescribed form—

(i) for information given in the way prescribed under section 81F section 75(a) or (b)—7 days; or

(ii) for information given in the way prescribed under section 81F section 75(c)—7 days after the end of the month in which the transportation of the trackable waste ended;

(b) if the information is given in a way approved by the administering authority under section 81W—7 days after the end of the month in which the transportation of the trackable waste ended.

Division 3  Obligations of waste handlers

Subdivision 1  Transportation within Queensland

81H  Application of sdiv 1

77  Application of subdivision [81H]

This subdivision applies to the transportation of trackable waste from a generator in Queensland to a receiver in Queensland.
81I Responsibilities of generator

78 Responsibilities of generator [81I]
(1) When the generator gives the waste to the transporter, the generator must—
   (a) give to the transporter the prescribed information about the waste in the prescribed form; and
   (b) record the prescribed information about the waste.
  
  Maximum penalty—20 penalty units.

(2) The generator must give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed time period after giving the waste to the transporter.
  
  Maximum penalty—20 penalty units.

(3) The generator must keep the record mentioned in subsection (1)(b) for at least 5 years.
  
  Maximum penalty—20 penalty units.

81J Responsibilities of transporter

79 Responsibilities of transporter [81J]
(1) While transporting the waste in Queensland, the transporter must carry a document containing the information received from the generator under section 81I(1)(a).
  
  Maximum penalty—20 penalty units.

(2) When the transporter gives the waste to the receiver, the transporter must—
   (a) give to the receiver the prescribed information about the waste; and
   (b) record the prescribed information about the waste.
Maximum penalty—20 penalty units.

(3) Within 7 days of becoming aware of a discrepancy in information received from the generator under section 81I, the transporter must give written notice of the discrepancy to the administering authority.

Maximum penalty—20 penalty units.

(4) The transporter must keep the record mentioned in subsection (2)(b) for at least 5 years.

Maximum penalty—20 penalty units.

81K Responsibilities of receiver

80 Responsibilities of receiver [81K]

(1) When the transporter gives the waste to the receiver, the receiver must record the prescribed information about the waste.

Maximum penalty—20 penalty units.

(2) The receiver must give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed time after receiving the waste from the transporter.

Maximum penalty—20 penalty units.

(3) Within 7 days of becoming aware of a discrepancy in the information received from the transporter under section 81J, the receiver must give written notice of the discrepancy to the administering authority.

Maximum penalty—20 penalty units.

(4) The receiver must keep the record mentioned in subsection (1) for at least 5 years.

Maximum penalty—20 penalty units.
81L  Responsibilities of waste handler acting in more than 1 capacity [81L]

(1) If a person is both the generator and the transporter—

(a) section 81J(1)(a) does not apply; and

(b) section 81I otherwise applies as if a reference to the generator giving the waste to the transporter were a reference to the person starting the transportation; and

(c) section 81J(1) applies as if a reference to the information received from the generator were a reference to the information recorded by the person; and

(d) section 81J(3) does not apply.

(2) If a person is both the transporter and the receiver—

(a) section 81J(2)(a) does not apply; and

(b) section 81K(3) does not apply; and

(c) sections 81J and 81K otherwise apply as if a reference to the transporter giving the waste to the receiver were a reference to the person completing the transportation of the waste.

Subdivision 2  Transportation into Queensland

81M  Application of sdiv 2

82  Application of subdivision [81M]

This subdivision applies to the transportation of trackable waste from a generator outside Queensland to a receiver in Queensland.
81N  Responsibilities of transporter

83  Responsibilities of transporter [81N]

(1) The transporter must not transport the waste into Queensland unless the administering executive has, under section 81X93, assigned a consignment number to—
   (a) the load being transported; or
   (b) the loads being transported over a 12-month period.
   Maximum penalty—20 penalty units.

(2) Before transporting the waste into Queensland, the transporter must obtain from the generator the information about the waste mentioned in schedule 2E8, section 1(2), other than the generator’s identification number and a unique identifier for the load.

(3) While transporting the waste in Queensland, the transporter must carry a document—
   (a) stating the consignment number, if any, assigned to the load by the administering executive; and
   (b) containing the information mentioned in subsection (2).
   Maximum penalty—20 penalty units.

(4) When the transporter gives the waste to the receiver, the transporter must—
   (a) give to the receiver the prescribed information about the waste; and
   (b) record the prescribed information about the waste.
   Maximum penalty—20 penalty units.

(5) Within 7 days of becoming aware of a discrepancy in information obtained under subsection (2), the transporter must give written notice of the discrepancy to the administering authority.
   Maximum penalty—20 penalty units.
(6) The transporter must keep the record mentioned in subsection (4)(b) for at least 5 years.

Maximum penalty—20 penalty units.

81O  Responsibilities of receiver

84  Responsibilities of receiver [81O]

(1) When the transporter gives the waste to the receiver, the receiver must record the prescribed information about the waste.

Maximum penalty—20 penalty units.

(2) The receiver must give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed time period after receiving the waste from the transporter.

Maximum penalty—20 penalty units.

(3) Within 7 days of becoming aware of a discrepancy in the information received from the transporter under section 81N(4)(a), the receiver must give written notice of the discrepancy to the administering authority.

Maximum penalty—20 penalty units.

(4) The receiver must keep the record mentioned in subsection (1) for at least 5 years.

Maximum penalty—20 penalty units.

81P85 Responsibilities of waste handler acting in more than 1 capacity [81P]

If a person is both the transporter and the receiver—

(a) section 81N(4)(a) does not apply; and

(b) section 81O(3) does not apply; and
(c) sections 81N–83 and 81Q–84 otherwise apply as if a reference to the transporter giving the waste to the receiver were a reference to the person completing the transportation of the waste.

Subdivision 3  Transportation out of Queensland

81Q  Application of sdiv 3

This subdivision applies to the transportation of trackable waste from a generator in Queensland to a receiver outside Queensland.

81R  Responsibilities of generator

(1) When the generator gives the waste to the transporter, the generator must—

(a) give to the transporter the prescribed information about the waste; and

(b) record the prescribed information about the waste.

Maximum penalty—20 penalty units.

(2) The generator must give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed time after giving the waste to the transporter.

Maximum penalty—20 penalty units.

(3) The generator must keep the record mentioned in subsection (1)(b) for at least 5 years.

Maximum penalty—20 penalty units.
81S Responsibilities of transporter

88 Responsibilities of transporter [81S]

(1) While transporting the waste in Queensland, the transporter must carry a document containing the information received from the generator under section 81R(1)(a).

Maximum penalty—20 penalty units.

(2) Within 7 days of becoming aware of a discrepancy in information received from the generator under section 81R(1)(a), the transporter must give written notice of the discrepancy to the administering authority.

Maximum penalty—20 penalty units.

81T89 Responsibilities of waste handler acting in more than 1 capacity [81T]

If a person is both the generator and the transporter—

(a) section 81R(1)(a) does not apply; and

(b) section 81R otherwise applies as if a reference to the generator giving the waste to the transporter were a reference to the person starting the transportation of the waste; and

(c) section 81S(1) applies as if a reference to the information received from the generator were a reference to the information recorded by the person; and

(d) section 81S(2) does not apply.
Division 4  Miscellaneous

81U  Application of provisions to agents

90  Application of provisions to agents [81U]

(1) This section applies if—

(a) a waste handler is required by a provision of division 3 (the waste tracking provision) to do something; and

(b) the waste handler enters into a written agreement with another person (the agent) to do the thing for the waste handler; and

(c) the agreement states the agent is aware of subsection (3).

(2) It is a defence to a charge of contravening the waste tracking provision for the waste handler to show—

In a proceeding for an offence against a waste tracking provision, it is a defence for the waste handler to show—

(a) the waste handler entered into the agreement with the agent; and

(b) the contravention was directly caused by a failure of the agent to do something in compliance with the agreement.

(3) The waste tracking provision applies to the agent, to the extent the agent has agreed to do something required by the provision, as if a reference in the provision to the waste handler were a reference to the agent.
Giving information to administering authority in prescribed form [s 81V]

(1) The chief executive must prepare forms (each a prescribed form) for use in giving information to the administering authority under division 3.

(2) Each form mentioned in section 81F (a) or (b) must be marked with a unique identifier consisting of numbers, letters or both.

(2A) If a waste handler gives information in a form mentioned in section 81F (c), the waste handler must ensure a unique identifier (consisting of numbers, letters or both) is stated for each load of trackable waste mentioned in the form.

(3) The chief executive must make the forms available to the public, whether published on the department’s website or otherwise, on payment of a reasonable fee.

(4) If a person obtains a prescribed form from the chief executive and uses it to give information to the administering authority under division 3 about the transportation of trackable waste, the number marked on the form under subsection (2) is the unique identifier for the load of waste.

Approval of ways of giving information to administering authority [s 81W]

(1) A person may apply to the administering executive for approval of a particular way of giving prescribed information to the administering authority under division 3.

(2) The applicant person must, within the time period required by the administering executive—

(a) give the administering executive the information the executive reasonably requires to decide the application; and

(b) pay the reasonable fee required by the executive for assessing the application.
(3) If the applicant person does not comply with subsection (2), the application lapses.

(4) The administering executive may approve the way of giving prescribed information if the executive is satisfied—

(a) it is a reliable, effective, timely and efficient way for the information to be given to the administering authority; and

(b) the information will be secure while it is being given; and

(c) the information will be given in a form that enables the authority to access, record and otherwise deal with the information; and

(d) it includes a system for assigning an appropriate unique identifier (consisting of numbers, letters or both) to each transportation of trackable waste for which information is given; and

(e) it would otherwise be an appropriate way for the information to be given.

Example—

The administering executive may approve a system under which a person transmits information from the person’s database directly to the administering authority in a particular electronic form. Under the system, the information given about the transportation of a load includes a unique identifier consisting of the first 3 letters of the transporter’s name, the date and the number of the load being transported on that day.

(5) An approval under subsection (4) may be given on reasonable conditions.

(6) After the administering executive decides the application, the administering executive must give the applicant person a written notice stating the following—

(a) whether the application is approved or refused; and

(b) if the application is approved—

(i) any conditions of the approval; and
(ii) the prescribed time-period for giving the information; and

(c) if the application is refused—the reasons for the decision; and

(d) the review of or appeal details for the decision.

(7) If the administering executive has not decided the application by the due day, the application is taken to have been refused.

(8) To remove doubt, it is declared that the administering executive may approve, under this section, a way of giving information, even though no-one has not applied for the approval.

(9) In this section—

due day, for deciding an application, means—

(a) the sixty-sixth day—60 days after the application is made, not including a day the administering executive asks for information under subsection (2)(a), a day the applicant gives the requested information, and any days in between; or

(b) any later day agreed between the administering executive and the applicant.

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81X93 Consignment numbers for waste transported into Queensland

(1) A person may apply to the administering executive for a consignment number for—

(a) a load of trackable waste to be transported into Queensland from another State; or

(b) loads of trackable waste to be transported into Queensland from another State over a 12-month period.

(2) The application must be in the approved form.
(3) The applicant must give to the administering executive any of the following information if the executive requests it—
   (a) information mentioned in schedule 2F, section 1, about the load;
   (b) information the executive reasonably requires to decide the application.

(4) The administering executive must approve the application for a consignment number if the executive is satisfied—
   (a) the intended transporter holds, or is acting under, an environmental authority for transporting the waste to the intended receiver; and
   (b) the intended receiver holds, or is acting under, an environmental authority for carrying out the intended treatment of the waste.

(5) After the administering executive decides the application, the administering executive must give the applicant a written notice stating the following—
   (a) whether the application is approved or refused; and
   (b) if the application is approved—the consignment number assigned to the load or loads of trackable waste; and
   (c) if the application is refused—
      (i) the reasons for the decision; and
      (ii) the review or appeal details for the decision.

(6) If the administering executive has not decided the application by the due day, the executive is taken to have refused the application.

(7) In this section—
   due day, for deciding an application, means—
   (a) the tenth business days after the application is made, not including a day the administering executive
Environmental Protection Regulation 2019
Chapter 5 Matters relating to environmental management and environmental offences
Part 9 Waste tracking

[81Y]

asks for information under subsection (3), a day the applicant person gives the requested information, and any days in between; or

(b) any later day agreed between the administering executive and the applicant person.

intended treatment, for of trackable waste to be transported into Queensland, means the way the waste is to be treated, disposed of, stored or otherwise dealt with by the receiver.

81Y Exemptions

94 Exemptions [81Y]

(1) A person may apply to the administering authority for an exemption for the transportation of trackable waste to which this part applies.

Note—
See section 81C for the trackable waste to which this part applies.

(2) The person must give the administering authority the information the authority reasonably requires to decide the application.

(3) The administering authority may grant the exemption if the authority is satisfied the waste does not show any environmentally significant characteristics.

Example—
A person operates a food processing facility. Waste from the facility includes filter cake (a trackable waste), which the person sends away for disposal at the end of each week. The filter cake derives only from the washing of vegetables and consists almost entirely of sand and dirt. Analysis of the filter cake establishes that it does not show any environmentally significant characteristics.

The administering authority decides to grant the person an exemption for the transportation of each of these weekly loads. The exemption is given on conditions about the process that generates the filter cake, filter cake to ensure it will not show any environmentally significant characteristics.
(4) An exemption may be given on reasonable conditions.

(5) After the administering executive decides the application, the administering executive must give the applicant a written notice stating—
(a) whether or not the exemption is granted; and
(b) if the exemption is granted—any conditions of the exemption; and
(c) if the exemption is refused—the reasons for the decision; and
(d) the review or appeal details for the decision.

(6) If the administering authority has not decided the application for exemption by the due day, the authority is taken to have refused the application.

(7) In this section—

 due day, for deciding an application, means—

(a) the thirtieth day after the application is made, not including a day the administering authority asks for information it reasonably requires to decide the application, a day the applicant gives the requested information, and any days in between; or
(b) any later day agreed between the administering authority and the applicant.

81Z Emergencies

95 Emergencies [81Z]

If a person is charged with proceeding for an offence against a provision of this part, it is a defence for the person to prove the act or omission constituting the failure to comply with the provision—

(a) was carried out, or happened, in the exercise of a power under chapter 9, part 4 of the Act; or
(b) was carried out, or happened, under an emergency direction; or
(c) was reasonably necessary because of an emergency.

81ZA Trackable waste to be given only to licensed transporter

(1) A generator of trackable waste must not give the waste to another person to transport it in a vehicle for a fee or reward, or in a load of more than 250kg, in a vehicle unless the other person holds, or is acting under, an environmental authority for transporting the waste in the vehicle.

Maximum penalty—20 penalty units.

(2) If in a person is charged with proceeding for an offence under subsection (1), it is a defence to the charge for the person to prove there were reasonable grounds for believing the other person had an environmental authority for transporting the waste in the vehicle.

81ZB Generator identification number

97 Generator identification number

On application by a person in the approved form, the administering executive must assign the person a generator identification number.

Note—

The generator identification number is mentioned in the prescribed information for a generator under schedule 2F, section 1.
Chapter 5A6 Waste management by local governments

Part 1 Preliminary

81ZC Application of ch 5A

This chapter applies to a local government area unless—
(a) the local government for the area makes a local law about waste management for the area; and
(b) the local law states it replaces this chapter.

81ZD References to local government

99 References to local government [81ZD]
In this chapter, a reference to a local government in the context of dealing with waste produced at relevant premises is a reference to the local government for the local government area in which the relevant premises is situated.

81ZE Meaning of serviced premises

100 Meaning of serviced premises [81ZE]
Relevant premises in a local government area are serviced premises if—
(a) the relevant premises are in an area designated by the local government under the Waste Reduction and Recycling Regulation 2011, section 7 as an area in
which the local government may conduct general waste collection; or

(b) the local government has required the owner or occupier of the relevant premises to arrange for removal of general waste from the relevant premises.

Examples of ways a local government may require the removal of general waste for paragraph (b)—

- a local law, a resolution of the local government, a development approval for the premises, a public health order under the Public Health Act 2005

Part 2 Waste management in local government areas

Division 1 Storage of general waste

Owner or occupier of relevant premises to supply waste containers [s 81ZF]

(1) The owner or occupier of relevant premises in a local government area must—

(a) subject to subsection (2), supply enough standard general waste containers at the relevant premises to contain store the general waste produced at the premises; or

(b) if required by the local government, supply at the relevant premises, enough waste containers, other than standard general waste containers, to contain store the general waste produced at the relevant premises.

Examples of ways a local government may require waste containers for paragraph (b)—

- by a local law, a resolution of the local government, a development approval for the premises

Maximum penalty—20 penalty units.
(2) However, subsection (1)(a) does not apply if the local government supplies to the relevant premises the number of standard general waste containers the local government reasonably considers is required at the relevant premises.

(3) If the local government supplies a standard general waste container to relevant premises under subsection (2), the reasonable cost of supplying the container is a debt payable by the owner or occupier of the relevant premises to the local government.

(4) However, subsection (3) does not prevent a local government from supplying a standard general waste container to relevant premises without cost to the owner or occupier of the relevant premises.

81ZG102 Requirements for storing general waste in waste containers

(1) The occupier of relevant premises must—

(a) store general waste at the relevant premises in a standard general waste container or, if required by the local government, in another type of waste container; and

Examples of ways a local government may require waste to be stored in another type of waste container—

by a local law, a resolution of the local government, a development approval for the premises

(b) keep each waste container at the relevant premises clean and in good repair; and

(c) ensure that each waste container at the relevant premises is securely covered, except when the covered other than to place waste is being placed in, in or removed from, remove waste from the container or to clean the container is being cleaned container.

Maximum penalty—20 penalty units.

(2) A person must not—

(a) place any of the following in a waste container—
(i) a liquid, semi-liquid or moist substance, unless the substance is securely wrapped or contained to prevent the substance leaking from the wrapper or container;

(ii) material that is smouldering or aflame;

(iii) matter or a thing that is alive; or

(b) remove or disturb the cover of a waste container, except when placing another container other than to place waste in the container or cleaning the container; or

(c) use or damage a waste container so that it is not weatherproof or serviceable or cannot be securely covered; or

(d) disturb or otherwise interfere with the contents of a waste container.

Maximum penalty—20 penalty units.

(3) The occupier of the relevant premises must not allow a person to place a thing in a waste container at the premises in contravention of subsection (2)(a).

Maximum penalty—20 penalty units.

(4) It is a defence in a proceeding against a person for an offence under subsection (3) for the person to prove the contravention was due to circumstances over which the person had no control.

81ZH103 General requirements for keeping waste containers at serviced premises [81ZH]

(1) Subject to subsection (2), the occupier of serviced premises must ensure that a waste container supplied for the premises is kept—

(a) if the local government requires the container be kept at a particular place at the premises—at the place; or
Examples of ways a local government may require waste containers to be kept at a particular place—

by a local law, a resolution of the local government, a development approval for the premises

(b) otherwise—at ground level close to the rear alignment of a building at the premises.

Maximum penalty—20 penalty units.

(2) Subsection (1) does not prevent the occupier of the serviced premises from placing a waste container in a place outside the premises for the collection of general waste from the container, if—

(a) the local government has arranged to collect waste from the container at the place; and

(b) the container is in the place for no longer than—

(i) the period, if any, allowed under a local law of the local government; or

(ii) is otherwise reasonably appropriate before and after the collection.

Example of a place outside serviced premises—

the kerb adjacent to the serviced premises

(3) If a local government has arranged for the collection of general waste from a waste container at the serviced premises, the occupier of the premises must ensure there is unobstructed access to the container for removal of the waste.

Maximum penalty—20 penalty units.

(4) It is a defence in a proceeding against a person for an offence under subsection (3), it is a defence for the person to prove the contravention was due to circumstances over which the person had no control.
Other requirements for storing general waste at particular serviced premises

(1) This section applies to any of the following persons (each a prescribed person) other than a single detached dwelling—

(a) the owner or occupier of the premises;

(b) the registered suitable operator for a prescribed environmentally relevant activity carried out at the premises;

(c) the holder of an environmental authority for a mining activity or petroleum activity carried out at the premises.

(2) The prescribed person must, if required by the local government, ensure each of the following is supplied at the premises—

(a) either—

(i) an elevated stand at a level required by the local government for holding all waste containers; or

(ii) an imperviously paved area, drained as required by the local government, where all waste containers can be placed;

(b) a hose cock and hose in the vicinity of the stand or paved area;

(c) a suitable enclosure for the area where the waste containers are kept.

Examples of ways a local government may require a prescribed person to comply with subsection (2)—

by a local law, a resolution of the local government, a development approval.

Maximum penalty for subsection (2)—20 penalty units.

(3) In this section—

particular serviced premises means serviced premises other than a single detached dwelling.
Division 2  Removal of general waste

81ZJ105 Local government may give notice about removal of general waste [81ZJ]

(1) This section applies to a local government that has arranged for the removal of general waste produced at a relevant premises.

(2) The local government may give the occupier of the relevant premises a written notice stating—
   (a) the days on which the waste is to be collected; and
   (b) where the waste container is to be placed for collection of the waste (the designated location); and
   (c) the time by which the waste container is to be placed in the designated location for collection of the waste.

81ZK106 Depositing or disposal of general waste from premises other than serviced premises [81ZK]

(1) This section applies if general waste is produced at a relevant premises, other than serviced premises.

(2) The local government may—
   (a) give a written approval (a relevant approval) to the owner or occupier of the relevant premises for depositing or disposing of the waste; and
   (b) impose conditions on the approval, including, for example, conditions about—
      (i) the place for depositing or disposing of the waste; or
      (ii) the method of depositing or disposing of the waste.

(3) A person must not deposit or dispose of the waste unless the person deposits or disposes of the waste—
   (a) at a waste facility in accordance with part 3; or
(b) in accordance with—

(i) an approval under subsection (2) for disposal of the waste; and

(ii) if the approval has been given on conditions, the conditions of the approval.

A person must deposit or dispose of the waste at a waste facility under part 3 or in accordance with a relevant approval and any conditions of the approval.

Maximum penalty for subsection (3)—20 penalty units.

**Division 3 Storage and treatment of industrial waste**

**81ZL Requirements for storing industrial waste**

**107 Requirements for storing industrial waste [81ZL]**

(1) The occupier of relevant premises where there is industrial waste must, if required by the local government—

(a) supply at the premises the number of industrial waste containers required by the local government for storing the waste at the premises safely, efficiently and without causing a nuisance; and

(b) keep the waste containers at a place at the premises the local government requires; and

(c) keep each waste container clean and in good repair.

*Examples of ways a local government may require compliance with subsection (1)—*

1. by a local law, a resolution of the local government, a development approval

Maximum penalty—20 penalty units.
(2) If the occupier does not supply at the relevant premises the number of industrial waste containers required by the local government for subsection (1)(a), the local government may supply industrial waste containers at the premises.

(3) If a local government supplies an industrial waste container to relevant premises under subsection (2), the reasonable cost of supplying the container is a debt payable by the occupier of the premises to the local government.

(4) In this section—

*industrial waste container* means a waste container of a type approved by the local government for storing industrial waste at premises within the local government’s area.

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**81ZM 108 Requirement to treat industrial waste for disposal**

The occupier of relevant premises where there is industrial waste must, if required by the local government, treat the waste to a standard approved by the local government for disposal of the waste at a waste facility.

*Examples of ways a local government may require an occupier to treat industrial waste for disposal—*

- by a local law, a resolution of the local government, a development approval for the premises

Maximum penalty—40 penalty units.

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**Division 4 Compliance notices**

**81ZN 109 Authorised person may give notice to comply**

(1) If an authorised person believes on reasonable grounds that a person (an *affected person*) has contravened division 1, 2 or 3, the authorised person may give the affected person a written notice about the contravention.
(2) The notice must state—
   (a) the act or omission comprising the contravention; and
   (b) the action the affected person must take to rectify the alleged contravention; and
   (c) the day by which the affected person must take the action.

(3) The stated day must be at least 28 days after the notice is given.

(4) If an affected person is given a notice under subsection (1), the person must comply with the notice unless the person has a reasonable excuse for not complying with it.

   Maximum penalty—10 penalty units.

(5) If an affected person is given a notice under subsection (1) in relation to an alleged contravention of division 1, 2 or 3, the person can be prosecuted for the contravention only if the person does not comply with the notice.

(6) However, this section does not require an authorised person to give a person a notice under subsection (1) before the person may be prosecuted for a contravention of division 1, 2 or 3.
Part 3 Receiving and disposing of waste

81ZO Unlawful disposal of waste at waste facility

Requirements and restrictions for waste facilities

110 Depositing waste at waste facility [81ZO]

(1) A person must not deposit the following waste at a waste facility—
   (a) liquid or semiliquid waste;
   (b) hot ash;
   (c) material that is smouldering or aflame;
   (d) material that can spontaneously combust;
   (e) material containing a substance that may be harmful to persons or property because, if it reacts with air or water, it may produce toxic gases or become corrosive or explosive;
   (f) an explosive;
   (g) ammunition, other than ammunition that no longer contains explosives, pyrotechnics or propellants apart from trace residues that are incapable of supporting combustion or an explosive reaction.

   Maximum penalty—20 penalty units.

(2) Subsection (1) does not apply to waste deposited with the consent of—
   (a) the person who—
[s 81ZP]  

(i) is the registered suitable operator for the facility; or
(ii) holds an environmental authority for the facility; or

(b) the person in charge of the facility.

81ZP111 Restrictions on burning waste at waste facility

A person must not set fire to, or burn, waste at a waste facility other than—
(a) under an environmental authority; or
(b) under a development condition of a development approval; or
(c) under the Fire and Emergency Services Act 1990.

Maximum penalty—20 penalty units.

81ZQ112 Restrictions on use of waste facility

(1) A person must not, without the consent of a waste facility’s owner or operator—
(a) enter the facility other than to deposit waste; or
(b) remain on the facility after depositing waste; or
(c) interfere with waste at, or remove waste from, the facility.

Maximum penalty—10 penalty units.

(2) Subsection (1) does not apply to—
(a) the facility’s owner or operator; or
(b) an authorised person.
Waste transporter to comply with directions and give information

(1) This section applies to a person who transports and delivers waste to a waste facility.

(2) The person must—

(a) comply with all relevant and reasonable directions contained in any sign displayed at the facility by the facility’s owner or operator; and

(b) deal with the waste in accordance with reasonable instructions given by the person in charge of the facility; and

(c) if asked by the facility’s owner or operator—give information to the owner or operator about the type and amount of waste being delivered.

Maximum penalty—10 penalty units.

Part 4 Devolution of powers

81ZS Devolution—waste management in local government areas—Act, s 514

The administration and enforcement of part 2 is devolved to each local government for its local government area.

81ZT Devolution—receiving and disposing of waste—Act, s 514

The administration and enforcement of part 3, to the extent it relates to a waste facility owned, operated or otherwise controlled by a local government, is devolved to that local government.
Chapter 67 National Pollutant Inventory

Part 1 Preliminary

82 Purpose of ch 6

114 Purpose of chapter [82]

The purpose of this chapter is to give effect to, and enforce compliance with, the ‘National Environment Protection (National Pollutant Inventory) Measure 1998’ (the NPI NEPM) made under the National Environment Protection Council Act 1994 (Cwlth), section 14.

Editor’s note—The NPI NEPM is available for inspection free of charge during business hours at the department’s head office. On the day this regulation was notified in the gazette, the NPI NEPM was also available on the website of the Department of the Environment.

83 Definitions for ch 6

115 Definitions for chapter [83]

In this chapter—

published means published by the Commonwealth.

reporting period, for a reporting facility, means the facility’s reporting period under see section 86 118.

reporting requirement, for the occupier of a reporting facility, means the requirement for the occupier to give information to the chief executive under section 85 117(2) or (7).

reporting threshold, for a substance, means the reporting threshold for the substance under the NPI NEPM.
Expressions in this part have same meaning as under NPI NEPM [84]

Unless this regulation provides otherwise, expressions in this part that are defined under the NPI NEPM have the same meaning as they have in the NPI NEPM.

Part 2 Reporting requirements

Occupiers of reporting facilities to give information [85]

(1) This section applies to the occupier of a reporting facility that, under NPI NEPM, exceeds the reporting threshold for a substance in the facility’s reporting period.

(2) The occupier must, within 3 months after the end of the reporting period, give the chief executive the following, unless the occupier has a reasonable excuse—

(a) the information mentioned in NPI NEPM, section 9(1);

(b) a statement about the information that complies with NPI NEPM, section 9(6).

Maximum penalty—20 penalty units.

(3) However, this section does not apply until—

(a) the Commonwealth and the State agree that the ANZSIC code for 1 or more activities carried out at the facility (the code) is an industry type required to report under this measure; and

(b) the Commonwealth has included the code on a published list as an industry type required to report under this measure; and

(c) the Commonwealth publishes industry reporting materials for the code.

(4) Also, this section does not apply to mandatory transfer data mentioned in NPI NEPM, section 9(1), until—

the
Commonwealth publishes industry reporting materials for transfers.

(5) Subsection (2) is subject to sections 94-126 and 96-128.

(6) If the chief executive requires further information in relation to the information mentioned in NPI NEPM, section 9(1)(e) or (g), the chief executive may give the occupier a written notice stating—

(a) the information required; and

(b) why the information is required; and

(c) a reasonable period of at least 30 business days for compliance; and

(d) the review or appeal details for the decision to give the notice.

(7) The occupier must comply with the notice unless the occupier has a reasonable excuse.

Maximum penalty—20 penalty units.

86 Reporting period for reporting facility

(8) In this section—

published means published by the Commonwealth.

118 Reporting period for reporting facility [86]

(1) The reporting period for a reporting facility is—

(a) a financial year; or

(b) if the chief executive decides the occupier of the facility is required to collect or collate data similar to emission data or mandatory transfer data on the basis of a different annual reporting period—the annual reporting period decided by the chief executive.

(2) The chief executive may make a decision under subsection (1)(b)—
(a) on the chief executive’s own initiative; or
(b) on a written application for a particular reporting period (a reporting period application) made to the chief executive by the occupier.

(3) As soon as practicable after making the decision, the chief executive must give the occupier a written notice (a reporting period notice) about the decision.

(4) The reporting period notice about the decision is an information notice about the decision if—
(a) the decision has been made on the chief executive’s own initiative; or
(b) the occupier has made a reporting period application and the chief executive has refused it.

(5) If the occupier makes a reporting period application and the chief executive fails to give the occupier a reporting period notice within 40 days after the application is made, the failure is taken to be a decision by the chief executive to refuse the application at the end of the 40 days.

87 Occupier must keep particular information for 3 years [87]

(1) Subsection (2) applies to the occupier of a reporting facility for keeping the information used in deciding if the reporting threshold for a substance is exceeded in the reporting period for the facility.

(2) The occupier must keep the information for 3 years after the reporting period ends.

Maximum penalty—20 penalty units.

(3) Subsection (4) applies to the occupier of a reporting facility for keeping the information required to assess the emission data and mandatory transfer data given to the chief executive under section 85(2) or (7).

(4) The occupier must keep the information for 3 years after—
(a) the emission data and mandatory transfer data are required to be given to the chief executive under section 85.117(2); or

(b) if the chief executive requires information under a notice given under section 85.117(6), the period for compliance stated in the notice.

Maximum penalty—20 penalty units.

88.120 Minister may name occupier in report to council

(1) This section applies to the occupier of a reporting facility if the Minister is satisfied the occupier has contravened any of the following (each of which is a relevant provision)—

(a) section 85.117(2) or (7);  

(b) section 480, 480A or 481 of the Act for giving information required to be given under section 85.117.

(2) If the Minister is satisfied it is appropriate in the circumstances, the Minister may, in the Minister's implementation report, name the occupier as a person who the Minister is satisfied has contravened a relevant provision.

(3) In deciding whether it is appropriate in the circumstances to name the occupier in the implementation report, the Minister must have regard to the following relevant matters—

(a) any mitigating or aggravating circumstances;  

(b) whether the occupier has previously contravened a relevant provision and any action taken against the occupier for the contravention;  

(c) whether naming the occupier would be unreasonably harsh or oppressive.

(4) Before naming the occupier in the report, the Minister must give the occupier a written notice stating the following—

(a) that the Minister proposes naming the occupier in the implementation report as a person who the Minister is satisfied has failed to comply with a relevant provision;
(b) the grounds for the proposed action;

(c) that the occupier may make, within a stated period (the *show cause period*) written representations to show why the proposed action should not be taken.

(5) The show cause period must end not less than be a period of at least 28 days after the notice is given to the occupier.

(6) The Minister must consider the written representations, if any, made by the occupier during the show cause period.

(7) If after considering the representations the Minister still considers it is appropriate to name the person in the report, the Minister may do so.

(8) The Minister must give the occupier written notice of the decision stating the following—

(a) that the Minister has decided to name the occupier in the implementation report as a person who the Minister is satisfied has failed to comply with a relevant provision, and the reasons for the decision;

(b) the review or appeal details for the decision.

(9) In this section—


### Part 3 Estimation techniques for emission and transfer data

**Occupier of reporting facility must use estimation technique** [89]

(1) The occupier of a reporting facility must use a technique (an *estimation technique*) for estimating emission data and
mandatory transfer data for complying with the facility’s reporting requirements.

(2) The estimation technique must be—

(a) a technique for estimating the data for the reporting facility, approved by the chief executive under section 92 or 93; or

(b) if paragraph (a) does not apply—the technique for estimating the data set out in the industry reporting materials for the relevant type of reporting facility.

The chief executive may approve an estimation technique for use by the occupier of a reporting facility (an estimation technique approval) if—

(a) there is no estimation technique for estimating emission data and mandatory transfer data set out in the relevant industry reporting materials for the reporting facility; or

(b) both—

both of the following apply—

(i) there is an estimation technique (the existing technique) for estimating the data set out in the relevant industry reporting materials for the reporting facility; and

the relevant industry reporting materials for the reporting facility state an estimation technique (the existing technique) for estimating the data;

(ii) the chief executive reasonably considers another technique is likely to provide more representative emission data and mandatory transfer data than the existing technique.
Application for approval of estimation technique [91]

(1) The occupier of a reporting facility may apply to the chief executive for an estimation technique approval (an estimation technique application).

(2) The estimation technique application must—

(a) set out the estimation technique for which approval is sought; and

(b) give the information necessary to enable the chief executive to decide the application.

(3) The chief executive may give the occupier a written notice asking the occupier to give to the chief executive, in the reasonable period stated in the notice, further information the chief executive reasonably considers necessary to decide the application.

(4) A notice under subsection (3) is an information notice about the chief executive’s decision to ask for the further information.

Deciding estimation technique application [92]

(1) For deciding an estimation technique application, the chief executive must—

(a) approve the estimation technique for which approval is sought (the proposed technique); or

(b) refuse to approve the proposed technique; or

(c) approve the proposed technique subject to a modification decided by the chief executive; or

(d) approve another estimation technique.

(2) In deciding whether to approve the proposed technique, or approve another estimation technique, the chief executive
must have regard to the representativeness of the proposed technique compared with the representativeness of estimation techniques in the relevant industry reporting materials for the reporting facility.

(3) The chief executive may refuse to approve the proposed technique if—

(a) the chief executive has given the occupier a notice under section 123(3) asking for further information; and

(b) the occupier does not comply with the request in the period stated in the notice.

(4) The chief executive must give the occupier written notice of the decision under subsection (1) as soon as possible after making the decision.

(5) If the chief executive decides to approve the technique subject to a modification, the notice must state the modification.

(6) If the chief executive refuses to approve the proposed technique, approves it subject to a modification or approves another estimation technique, the chief executive must give the occupier an information notice about the decision.

(7) Subsection (8) applies if the chief executive fails to give the occupier a notice about the chief executive’s decision—

(a) within 40 days after the application is made; or

(b) if the occupier gave the chief executive further information requested under section 123(3)—within 40 days after receiving the further information.

(8) The chief executive’s failure to give the notice is taken to be a decision by the chief executive to refuse to approve the proposed technique.

Approval of estimation technique on chief executive’s initiative [93]

(1) The chief executive may, at any time, give an estimation technique approval for a reporting facility.
(2) Before giving an estimation technique approval, the chief executive must give the occupier of the reporting facility a written notice stating that the chief executive will give the approval within a stated period of not less than at least 14 days unless the occupier makes an estimation technique application.

(3) If the occupier does not make an estimation technique application within the stated period, the chief executive must give the occupier—

(a) a notice stating the estimation technique approved by the chief executive; and

(b) an information notice about the decision to approve the estimation technique.

Part 4 Exceptions to reporting requirements

94. Exemption on ground of national security

(1) This section applies if the occupier of a facility gives the chief executive written evidence that—

(a) the occupier has made a claim to the Commonwealth under NPI NEPM that information required to be given by the occupier under section 85 should be treated as confidential on the grounds of national security; and

(b) the claim—

(i) has been granted; or

(ii) has not been assessed before the occupier is required to give the chief executive the information.

(2) Subject to subsections (3) and (4), the occupier is exempted from giving the chief executive the information.
[s 95]

(3) Subsection (4) applies if—
   (a) the exemption is given under subsection (1)(b)(ii) applies; and
   (b) the Commonwealth refuses the claim after the occupier is required to give the chief executive the information.

(4) The occupier must give the chief executive the information within the later of the following—
   (a) 3 months after the end of the reporting period;
   (b) 10 business days after receiving notice of the Commonwealth’s decision to refuse the claim.

96 127 Claiming exemption on ground of commercial confidentiality [95]

(1) The occupier of a facility may, by written notice given to the chief executive, claim information that the occupier is required to give under section 85(2) or (7) should be treated as confidential on the grounds of commercial confidentiality.

(2) The notice must contain the information necessary to enable the chief executive to decide the claim.

(3) The chief executive may, by written notice to the occupier, ask the occupier to give the chief executive, in the reasonable period stated in the notice, further relevant information to enable the chief executive to decide the claim.

(4) A notice under subsection (3) must be accompanied by an information notice about the chief executive’s decision to make the request.

96 128 Deciding claim for exemption on ground of commercial confidentiality [96]

(1) The chief executive may grant the claim only if the chief executive reasonably believes the information would be—
(a) the information would be exempt information under the Right to Information Act 2009; or

(b) information of which could reasonably be expected to cause a public interest harm as mentioned in the Right to Information Act 2009, schedule 4, part 4, item 7.

(2) If the chief executive grants the claim—

(a) the chief executive must give the occupier a notice about the decision; and

(b) the occupier is exempted from giving the chief executive the information for the period stated in the notice.

(3) The chief executive may refuse to grant the claim if the chief executive has given the occupier a notice under section 95 asking for further information and the occupier does not comply with the request in the period stated in the notice.

(4) The chief executive must give the occupier written notice of the chief executive’s decision on the claim.

(5) If the chief executive refuses to grant the claim, the notice must be an information notice about the decision to refuse the claim.

(6) Subsection (7) applies if the chief executive fails to give the occupier a notice about the chief executive’s decision on the claim—

(a) within 60 days after the claim is made; or

(b) if the occupier gave the chief executive further information under section 95—within 60 days after receiving the further information.

(7) The chief executive’s failure to give the notice is taken to be a decision by the chief executive to refuse to grant the claim at the end of the relevant 60 days.
Part 5 Other matters

97 Information not to be used as evidence

Information given by the occupier of a reporting facility under this chapter is not admissible in evidence in proceedings against the occupier, other than for an offence against section 480, 480A or 481 of the Act.

Chapter 78 Administration

Part 1 Devolution of powers

Division 1 Matters devolved to local government

98 Environmental nuisance

130 Environmental nuisance [98]

The administration and enforcement of each of the following provisions of the Act is devolved to each local government for its local government area—

(a) section 440; section 440 of the Act;

(b) section 443A.

99 Noise standards

section 443A of the Act.
131 Noise standards [99]

The administration and enforcement of each of the following provisions of the Act is devolved to each local government for its local government area—

(a) section 440Q;

(b) chapter 8, part 3B, division 3.

100 Water contamination

chapter 8, part 3B, division 3 of the Act.

132 Water contamination [100]

The administration and enforcement of chapter 8, part 3C of the Act is devolved to each local government for its local government area.

101 Particular prescribed ERAs

133 Particular prescribed ERAs [101]

(1) The administration and enforcement of the Act in relation to each of the following prescribed ERAs is devolved to a prescribed local government where the activity is, or is to be, carried out in its local government area—

(a) each of the following prescribed ERAs—

(i) asphalt manufacturing;

(ii) plastic product manufacturing;

(iii) metal forming;

(b) each of the following prescribed ERAs carried out within the stated threshold mentioned for the activity—

(i) metal recovery; for—
(A) recovering less than 100t of metal in a day; or

(B) recovering, without using a fragmentiser, 100t or more of metal in a day or 10,000t or more of metal in a year;

(ii) surface coating, carried out within the threshold for anodising, electroplating, enamelling or galvanising, using 1t to 100t of surface coating materials in a year;

(iii) waste incineration and thermal treatment, for incinerating waste vegetation, clean paper or cardboard;

(c) boat maintenance or repair, but only to the extent the activity is, or is to be, carried out at a boat maintenance or repair facility.

Note—See schedule 2, sections 6, 12, 19, 20, 38, 49 and 61.

(2) In this section—

prescribed local government means a local government, other than a local government mentioned in schedule 8A.

Devolution includes statutory instruments under Act.

To remove any doubt, it is declared that the administration and enforcement of the Act in relation to a matter devolved to a local government under this division includes the administration and enforcement of statutory instruments made under the Act in relation to the matter.
135 Devolution—waste management in local government areas [81ZS]

The administration and enforcement of chapter 6, part 2 is devolved to each local government for its local government area.

136 Devolution—receiving and disposing of waste [81ZT]

The administration and enforcement of chapter 6, part 3, to the extent it relates to a waste facility owned, operated or otherwise controlled by a local government, is devolved to that local government.

Division 2 Matters not devolved to local government

103 Issuing particular notices and orders

137 Issuing particular notices and orders [103]

(1) Despite division 1, the administration and enforcement of chapter 7, parts 5, division 2, 5B and 5C of the Act a relevant provision is not devolved to a local government, regardless of whether or not a matter to which part 5, division 2, 5B or 5C of the Act relevant provision relates is otherwise devolved to a local government.

404 (2) In this section—

relevant provision means—

(a) chapter 7, part 5, division 2 of the Act; or
(b) chapter 7, part 5B of the Act; or
(c) chapter 7, part 5C of the Act.
138 Record keeping for particular fuel suppliers

Despite section 101, the administration and enforcement of chapter 5, part 6, part 7 is not devolved to a local government, regardless of whether or not an activity to which the part relates is otherwise devolved to a local government.

105 Enforcing compliance with NPI NEPM

139 Enforcing compliance with NPI NEPM

Despite section 101, the administration and enforcement of chapter 6, chapter 7 is not devolved to a local government, regardless of whether or not an activity to which the chapter relates is otherwise devolved to a local government.

106 Other particular acts, omissions or activities

(1) This section applies despite division 1.

(2) The administration and enforcement of a provision of the Act mentioned in sections 98, 130 to 100, 132 is not devolved to a local government if the administration and enforcement of the provision relates to—

(a) a thing that is, or is claimed to have been, done, or omitted to be done, by a State or local government entity; or

(b) an environmentally relevant activity that is not devolved to a local government.

(3) The administration and enforcement of the Act in relation to an environmentally relevant activity is not devolved to a local government if the activity is, or is to be, carried out by a State or local government entity.

(4) In this section—

State or local government entity means—
(a) the State; or
(b) a local government; or
(c) an instrumentality or agency of the State or a local government; or
(d) a government owned corporation; or
(e) a rail government entity under the *Transport Infrastructure Act 1994*.

**107** Mobile and temporary activity across local government areas [107]

(1) This section applies if a mobile and temporary environmentally relevant activity is, or is to be, carried out by a person in more than 1 local government area.

(2) Despite section 101, the administration and enforcement of the Act in relation to the activity is not devolved to a local government.

**108** Activity carried out at a facility with a non-devolved activity [108]

(1) This section applies to an environmentally relevant activity (the *subject activity*)—

(a) that is, or is to be, carried out at a facility in a local government area; and

(b) to which, other than for this section, section 101 would apply.

(2) Despite section 101, the subject activity is not devolved to a local government if—

(a) the subject activity includes carrying out another environmentally relevant activity (the *coextensive activity*) at the same facility; and
(b) the administration and enforcement of the Act for the coextensive activity is not devolved to a local government.

Part 2 Enforcement

Authorised persons—Act, s 445

For section 445(1)(c) of the Act, each of the following classes of persons is declared to be an approved class of persons—

(a) employees of a local government who are appointed as authorised persons by the local government’s chief executive officer;

(b) for the purposes only of sections 440J and 463A of the Act—

(i) authorised officers appointed under the Brisbane Forest Park Act 1977, section 42; or

(ii) authorised officers appointed under the Recreation Areas Management Act 2006, section 143; or

(iii) conservation officers appointed under the Nature Conservation Act 1992, section 127(1); or

(iv) inspectors appointed under the Marine Parks Act 2004, section 52.

Part 3 Review of decisions and appeal

Original decisions and dissatisfied persons—Act, s 519

(1) Chapter 11, part 3 of the Act applies to the following decisions
as if each decision were a decision mentioned in schedule 2, part 2 of the Act—
(a) the following decisions of the administering executive—
   (i) a decision, under section 81W, to refuse a way of giving information;
   (a decision to refuse a way of giving information under section 92;
   (ii) a decision, under section 81W, to approve a way of giving information subject to conditions under section 92;
   (iii) a decision, under section 81X, to refuse an application for a consignment number for the transportation of trackable waste under section 93;
(b) a decision of the administering authority, under section 81Y—
   (i) to refuse an application (an exemption application) for an exemption for the transportation of particular trackable waste; or
   (ii) to approve an exemption application subject to conditions;
(c) the following decisions of the chief executive—
   (i) a decision to request information under section 85(6) for assessing the integrity of emission data given by the occupier of a reporting facility under section 117(6);
   (ii) a decision about an annual reporting period for a reporting facility under section 86(1)(b) about an annual reporting period for a reporting facility;
   (iii) a decision to request information under section 123(3);
(iv) a decision to refuse to approve an estimation technique, or approve it subject to a modification under section 92(5);

(v) a decision to request information to decide a claim for an exemption on the grounds of commercial confidentiality under section 95(3);

(vi) a decision to refuse to grant a claim for exemption on the grounds of commercial confidentiality under section 96.

(2) Chapter 11, part 3, division 1 and division 3, subdivision 2 of the Act apply to a decision of the Minister under section 88(7) to name the occupier of a reporting facility in the Minister's implementation report as if the decision were a review decision.

(3) For a decision mentioned in subsection section 520(1)(a) or (b) of the Act, each of the following persons is declared to be a dissatisfied person—

(a) For a decision mentioned in subsection (1)(e) or (2)—the dissatisfied person is the occupier of the reporting facility affected by the decision; and

(b) for a decision mentioned in subsection (1)(c) or (2)—the occupier of the reporting facility affected by the decision.
Part 4  Registers

Register of environmental reports

Registers kept by administering authority

Prescribed documents and information for register of environmental reports—Act, s 540 [111]

For section 540(1)(k) of the Act, the administering authority must keep in the register of environmental reports the following documents or information for each environmental evaluation it requires to be conducted or commissioned—

(a) the name of the recipient of the notice to conduct or commission the evaluation;

(b) the type of the evaluation;

(c) the day the notice requiring the evaluation is issued;

(d) for an evaluation of an activity the recipient has carried out, is carrying out, or proposes to carry out—
   (i) the type of activity; and
   (ii) if the activity is an environmentally relevant activity—the authority number for the environmental authority under which the activity is carried out; and
   (iii) the address or location of the place where the activity has been, is being, or is proposed to be, carried out;

(e) for an evaluation of an event—the nature of the event and where it happened;
(f) the name of the person carrying out the evaluation;

(g) the day the report about the evaluation is submitted to the administering authority;

(h) the administering authority’s decision about the report;

(i) the any action taken by the administering authority after deciding whether under section 326H or not to accept 326I of the report Act.

Prescribed documents and information for relevant monitoring programs—Act, s 540 [112]

1 For section 540(1)(k) of the Act, the administering authority must keep the following documents or information for each relevant monitoring program—

(a) the name of the person carrying out the activity to which the program relates;

(b) the type of the activity;

(c) for an activity mentioned in paragraph (a) that is an environmentally relevant activity—the authority number for the environmental authority under which the activity is carried out;

(d) the requirements under the program;

(e) the name of the person carrying out the program;

(f) the period covered by the results of the program;

(g) the results of the program and any action taken by the administering authority gives to a person carrying out the activity or program because of the results of the program.

2 In this section—
relevant monitoring program means a monitoring program carried out under the following—

(a) the Act;
(b) a development condition of a development approval;
(c) a condition of an environmental authority.

113 Register of transitional environmental programs

147 Prescribed documents and information for register of transitional environmental programs—Act, s 540

(1) The administering authority must keep in the register of transitional environmental programs the following documents or information for each transitional environmental program submitted, or required to be submitted, to the authority—

(a) the name of the person or public authority submitting or required to submit the program;
(b) the activity the person or public authority has carried out, is carrying out, or proposes to carry out for which the program is submitted or required to be submitted;
(c) for an activity mentioned in paragraph (b) that is an environmentally relevant activity—the authority number for the environmental authority under which the activity is carried out;
(d) the address or location of the place where the activity has been, is being, or is proposed to be, carried out;
(e) the aims of the program;
(f) the matters to be addressed by the program;
(g) the period over which the program is to be carried out;
(h) the day the program is submitted;
(i) if for a program for which a certificate of approval is given, the day the certificate is given;

(j) matters relating to compliance or noncompliance with the program.

any document the administering authority gives to a holder of an approval of a program, or person acting under the program, that relates to compliance or noncompliance with the program.

(2) Also, if a certificate of approval for the program is subject to a condition that the person or public authority prepare a public statement about the environmental management of the activity, a copy of the statement must be included in the register.

114 Register of environmental protection orders

148 Prescribed documents and information for register of environmental protection orders—Act, s 540 [114]

The For section 540(1)(k) of the Act, the administering authority must keep in the register of environmental protection orders the following documents or information for each environmental protection order it issues—

(a) the name of the recipient of the order;

(b) the activity to which the order relates;

(c) for an activity mentioned in paragraph (b) that is an environmentally relevant activity—the authority number for the environmental authority under which the activity is carried out;

(d) the address or location of the place where the activity has been, is being, or is proposed to be, carried out;

(e) the grounds for issuing the order;

(f) the requirements under the order;
(g) the day the order is issued;

(h) matters relating to compliance or noncompliance with the order.

115 Register of authorised persons

any document the administering authority gives to the recipient of the order that relates to compliance or noncompliance with the order.

149 Prescribed information for register of authorised persons—Act, s 540 [115]

The For section 540(1)(k) of the Act, the administering authority must keep in the register of authorised persons information about the limitations, if any, stated in the instrument of appointment for each authorised person mentioned in the register.

Part 5 Suitably qualified persons and auditors

115A150 Prescribed regulatory function—Act, s 564 [115B]

For section 564 of the Act, definition regulatory function, paragraph (d), completing a statutory declaration under chapter 9, part 3 is prescribed.

151 Prescribed organisations for suitably qualified persons and auditors—Act, ss 564 and 572 [115A]

Each organisation listed in schedule 8.15 is prescribed for—

(a) section 564 of the Act, definition suitably qualified person, paragraph (b); and

(b) section 572(b)(ii) of the Act.
115B Prescribed regulatory function

For section 564 of the Act, definition regulatory function, paragraph (d), completing a statutory declaration under chapter 8, part 3 is prescribed.

115C Guideline for application for approval as auditor—Act, s 570

For section 570(f) of the Act, the guideline called ‘Queensland auditor handbook for contaminated land, module 2: Auditor application requirements’, made by the chief executive and published on the department’s website, is prescribed.

115D Code of conduct for auditors—Act, s 574D

For section 574D(b) of the Act, the code of conduct called ‘Queensland auditor handbook for contaminated land, module 4: Code of professional conduct’, made by the chief executive and published on the department’s website, is prescribed.

Chapter 89 Fees

Part 1 Fees generally

116 Fees payable under Act

154 Fees payable under Act [116]

(1) Schedule 10 and this chapter provide for fees payable under the Act.
Environmental Protection Regulation 2019  
Chapter 89 Fees  
Part 2 Fees for devolved matters

(2) This chapter provides for annual fees payable for particular environmental authorities.

116A Recovery of unpaid amounts

155 Recovery of unpaid amounts [116A]
For section 580(2)(a) of the Act, if a fee payable under the Act to an administering authority is not paid in full by the date prescribed for the relevant fee in this regulation or stated in a notice for the relevant fee, the authority may recover the unpaid amount as a debt owed to the authority.

Part 2 Fees for devolved matters

117 Fees and discounts made by resolution or local law [117]
(1) This section applies if the administration and enforcement of the Act for a matter (the devolved matter) has been devolved to a local government.

(2) If—
Subsection (3) applies if—
(a) this chapter or schedule 18 prescribes a fee (the default fee) payable to the administering authority for the devolved matter; and
(b) the local government has made a resolution or local law prescribing a different fee (the local fee) payable for the devolved matter, whether higher or lower than the default fee; or

(3) the local fee is payable for the devolved matter instead of the default fee.

(4) Part 3, division 2 does not apply to a fee payable to the local government unless the local government makes a
Part 3 Annual fees

Division 1 General matters

118 Meaning of annual fee

The annual fee for an environmental authority is—

(a) if, for an environmental authority, the holder of the environmental authority is eligible to pay a reduced annual fee under division division 2—the reduced annual fee; or

(b) for any other environmental authority—the fee worked out for the authority under section 120.

119 Payment of annual fee for first year of environmental authority[119]

(1) This section applies to an environmental authority for which an annual fee is prescribed.

(2) The holder of the authority must, within 20 business days of after the authority taking effect, pay the administering authority the annual fee prescribed for the authority.

Note—
For when an environmental authority takes effect, see section 200 of the Act.
120 Annual fee for environmental authority

159 Annual fee for environmental authority [120]

(1) The annual fee for an environmental authority is the total of the site fees for all project sites for the authority.

(2) The site fee for a project site for an environmental authority is—

(a) if none of the environmentally relevant activities authorised to be carried out at the project site has an aggregate environmental score—

(i) for an environmental authority for a mining activity relating to a mining claim—nil; or

(ii) for any other environmental authority—$674.00; or

(b) if any of the environmentally relevant activities authorised to be carried out at the project site has an aggregate environmental score—

(i) for a relevant mining authority issued before 31 March 2013, for which the relevant activity continues to comply with the eligibility criteria for the activity—$674; or

(ii) for a relevant resource authority issued on or after 31 March 2013—$674; or

(iii) for any other environmental authority—the highest of the ERA fees calculated for each of the environmentally relevant activities.

(3) The ERA fee for an environmentally relevant activity is worked out using the following formula—

\[ F = S \times M \]

where—

\( F \) is the amount of the ERA fee,

\( S \) is the aggregate environmental score for the activity.
M is—
(a) for a relevant prescribed ERA—$135.40; or
(b) for a resource activity for which the AES stated for the activity in the section under schedule 2 or 2A and schedule 3 applying to the activity is 120 or more—$811.00; or
(c) for any other environmentally relevant activity—$271.10.

F is the amount of the ERA fee.

(4) In this section—
ineligible ERA means an environmentally relevant activity that is not an eligible ERA.

relevant mining authority means an environmental authority for a mining activity or resource project that at any time before 31 March 2013 was not a level 1 mining project under the Act.

relevant prescribed ERA means any of the following prescribed ERAs—
(a) aquaculture;
(b) intensive animal feedlotting;
(c) pig keeping;
(d) poultry farming;
(e) a relevant activity mentioned in schedule 2, section 63(3), table, item 1(a).

relevant resource authority means an environmental authority for a resource activity, but does not include an environmental authority for a resource activity that includes 1 or more ineligible ERAs.
Division 2  Reduced annual fees in particular circumstances

Subdivision 1  Preliminary

121  Purpose of div 2

160  Purpose of division [121]

The purpose of this division is to allow the holder of an environmental authority to pay a reduced annual fee for the authority if—

(a) the holder is eligible; and

the holder is eligible under section 165 to pay the reduced annual fee; and

(b) there is an aggregate environmental score for the environmentally relevant activity authorised under the authority.

122  Definitions for div 2

161  Definitions for division [122]

In this division—

annual fee, for an environmental authority, means the annual fee worked out under section 120.159 for the authority.

approved EMS see section 123.152.

approved partner see section 124.163.

conformity assessment body means a body accredited under JAS-ANZ for certifying environmental management systems.

eligible, to pay a reduced annual fee, means eligible under section 126 to pay the reduced annual fee.
ecoBiz program means the program of that name established by the department.

JAS-ANZ means the Joint Accreditation System of Australia and New Zealand that was declared under the Joint Accreditation System of Australia and New Zealand (Privileges and Immunities) Regulations 1998 (Cwlth) to be an international organisation to which the International Organisations (Privileges and Immunities) Act 1963 (Cwlth) applies.

lower emissions score see section 125.

prescribed environmental management system means—
(a) an environmental management system that a conformity assessment body has certified as conforming to AS/NZS ISO 14001:2004–2016 ‘Environmental management systems–Requirements with guidance for use’; or
(b) the National Feedlot Accreditation Scheme—Scheme Rules of Accreditation published in September 2018 by AUS-MEAT Limited ABN 44 082 528 881.

reduced annual fee, for an environmental authority, means the reduced annual fee worked out under section 127 for the authority.

What is an approved EMS
relevant resource environmental authority means an environmental authority for a resource activity relating to a mining lease or a petroleum lease for which the AES stated for the activity in the section under schedule 2 or 3 applying to the activity is 120 or more.

What is an approved EMS [123]

The holder of an environmental authority has an approved EMS if each relevant activity carried out under the authority is being carried out in accordance with a prescribed environmental management system.
124 Who is an approved partner

(1) An approved partner is the holder of an environmental authority who is registered as a partner under the business partnership ecoBiz program.

(2) In this section—

business partnership program means the program of that name established by the department.

Editor’s note—

On the day this regulation was notified in the gazette information about the business partnership program was available on the department’s website.

125 What is a lower emissions score

(1) The holder of an environmental authority has a lower emissions score if—

Subsection (2) applies to the holder of an environmental authority carrying out only 1 relevant activity under the authority.

(a2) the holder is carrying out only 1 relevant activity under 

has a lower emissions score if the authority—the relevant activity has an emissions score that is at least 25% less than the emissions score stated to apply for the activity under the environmental emission profile; or

(3) Subsection (4) applies to the holder of an environmental authority carrying out 2 or more relevant activities under the authority.

(b4) the holder is carrying out 2 or more relevant activities under the authority—has a lower emissions score if the relevant activity that has the highest aggregate environmental score has an emissions score that is at least 25% less than the emissions score stated to apply for the activity under the environmental emission profile.
In this section—

emissions score, for a relevant activity, means the emissions score component of the aggregate environmental score for the activity.

Editor’s note—

On the day this regulation was notified in the gazette information about the aggregate environmental scores for relevant activities was available on the department’s website.

Subdivision 2 Reduced annual fee

126 Eligibility for payment of a reduced annual fee

(1) The holder of an environmental authority is eligible to pay a reduced annual fee for the authority if—

(a) the holder has carried out a relevant activity under the authority for at least 1 year; and

(b) in the 3 years immediately before the annual fee for the authority is due, no compliance action event has happened for the holder; and

(c) the holder—

(i) has an approved EMS; or

(ii) is an approved partner; or

(iii) has a lower emissions score; or

(iv) for a relevant resource environmental authority—is currently carrying out rehabilitation of the land that is the subject of the environmental authority; and

(d) the holder gives the chief executive the following, documents under section 166(1) within the period stated in the annual notice— and

(i) if the holder has an approved EMS, other than a prescribed approved EMS—a statutory
declaration, completed by a suitably qualified person, verifying that—

(A) each relevant activity carried out under the authority in the previous year has been carried out in accordance with an environmental management system that a conformity assessment body has certified as conforming to AS/NZS ISO 14001:2004 ‘Environmental management systems—Requirements with guidance for use’; and

(B) the holder is complying with the conditions of the authority;

(ii) if the holder has a prescribed approved EMS—a statutory declaration, completed by the holder, verifying that—

(A) each relevant activity carried out under the authority in the previous year has been carried out in accordance with the National Feedlot Accreditation Scheme, Rules of Accreditation published in 2011 by AUS-MEAT Limited ABN 44 082 528 881; and

(B) the holder is complying with the conditions of the authority;

(iii) for a relevant resource environmental authority—the holder is currently carrying out rehabilitation of the land that is the subject of the environmental authority—a statutory declaration, completed by the holder, verifying that—

(A) the holder has stopped extracting the resource that is the subject of the environmental authority and does not intend to recommence extracting the resource; and
(B) the holder is currently carrying out rehabilitation of the land that is the subject of the environmental authority; and

(iv) the other documents and information stated in the annual notice; and

(e) the holder pays the reduced annual fee within the period stated in the annual notice.

(2) The holder stops being eligible to pay a reduced annual fee if the holder knows, or ought reasonably to know, that a disqualifying event has happened for the holder.

(3) Also, the holder stops being eligible if—

(a) there is more than 1 project site for the authority; and

(b) subsection (1) does not apply to 1 or more of the project sites for the authority.

(4) In this section—

compliance action event, for the holder of an environmental authority, means any of the following directly relating to an activity carried out or a thing omitted to be done under the authority—

(a) the serving of an infringement notice under the State Penalties Enforcement Act 1999 on the holder for an offence;

(b) the issuing of an environmental protection order to the holder;

(c) the holder—

(i) has voluntarily submitted a draft transitional environmental program; or

(ii) is acting under an approved transitional environmental program; or

(iii) is required to prepare a transitional environmental program; or
(iv) has, under section 350 of the Act, given the administering authority a program notice;

(d) the issue of a cost recovery notice to the holder unless—
   (i) the amount claimed under the notice has been fully paid; or
   (ii) the notice has been withdrawn or has otherwise stopped having effect;

(e) the holder has been issued with a direction notice under section 363B of the Act and—
   (i) the holder complies with the notice; or
   (ii) a proceeding for an offence against section 363E of the Act has not started;

(f) a proceeding for an environmental offence or an offence under section 363E, 363I or 363L of the Act (a notice offence) Act, is started or continued against the holder and has not finished;

(g) the holder is convicted of an environmental offence or a notice offence another offence mentioned in paragraph (f).

**disqualifying event**, for a holder of an environmental authority, means any of the following that happens during the year to which the reduced annual fee applies—

(a) the holder stops being an approved partner;

(b) the holder no longer has an approved EMS;

(c) the holder no longer has a lower emissions score;

(d) the holder has stopped carrying out rehabilitation of the land that is the subject of the environmental authority;

(e) the holder recommences extracting the resource that is the subject of the environmental authority;

(f) there is a compliance action event for the holder.
Documents for eligibility for payment of a reduced annual fee

(1) For section 165(1)(d), the holder of an environmental authority must give the chief executive each of the following documents—

(a) if the holder has an approved EMS, other than a prescribed approved EMS—a statutory declaration, completed by a suitably qualified person, verifying that—

(i) each relevant activity carried out under the authority in the previous year has been carried out in accordance with an environmental management system that a conformity assessment body has certified as conforming to AS/NZS ISO 14001:2016 ‘Environmental management systems—Requirements with guidance for use’; and

(ii) the holder is complying with the conditions of the authority;

(b) if the holder has a prescribed approved EMS—a statutory declaration, completed by the holder, verifying that—

(i) each relevant activity carried out under the authority in the previous year has been carried out in accordance with the National Feedlot Accreditation Scheme Rules published in September 2018 by AUS-MEAT Limited ABN 44 082 528 881; and

(ii) the holder is complying with the conditions of the authority;

(c) if the holder is the holder of a relevant resource environmental authority and the holder is currently carrying out rehabilitation of the land that is the subject of the environmental authority—a statutory declaration, completed by the holder, verifying that—
What is the reduced annual fee [127]

(1) The reduced annual fee for an environmental authority is—

(a) 90% of the annual fee if the holder is an approved partner; or

(b) 80% of the annual fee if—

(i) the holder has an approved EMS; or

(ii) the holder has a lower emissions score; or

(c) 70% of the annual fee if the holder is an approved partner and—

(i) the holder has an approved EMS; or

(ii) the holder has a lower emissions score; or

(d) 60% of the annual fee if—
(i) the holder has an approved EMS; and
(ii) the holder has a lower emissions score; or
(e) 50% of the annual fee if—
   (i) for a relevant resource environmental authority—
       the holder is currently carrying out rehabilitation of
       the land that is the subject of the environmental
       authority; or
   (ii) otherwise—
       (A) the holder is an approved partner; and
       (B) the holder has an approved EMS; and
       (C) the holder has a lower emissions score.

(2) In this section—
   relevant resource environmental authority see
   section 126(4).

Subdivision 3 Offences and record keeping

128 Application of sdiv 3

168 Application of subdivision [128]

This subdivision applies to the holder of an environmental authority who has, under this division, paid a reduced annual fee for the authority.

129169Offence to pay reduced annual fee if not eligible [129]

It is an offence for the holder to pay the reduced annual fee instead of the annual fee for the authority if the holder is not eligible under section 165 to pay the reduced annual fee.
Maximum penalty—20 penalty units.

**Requirement to keep records for reduced annual fee**

The holder must, unless the holder has a reasonable excuse, keep each of the following records relating to the payment of the reduced annual fee for at least 5 years after the reduced annual fee is paid—

(a) if the holder was eligible for the reduction under section 126(1)(c)(i)—a copy of an accreditation certificate prepared under the relevant prescribed environmental management system for the approved EMS;

(b) if the holder was eligible for the reduction under section 126(1)(c)(ii)—

(i) the holder’s certificate of registration under the business partnership ecoBiz program; and

(ii) a copy of the action plan the holder was required to develop for the holder’s registration under the business partnership ecoBiz program;

*Editor’s note—*

On the day this section commenced information about the development of an action plan was available on the department’s website.

(c) if the holder was eligible for the reduction under section 126(1)(c)(iii)—a copy of the data and methodology used to calculate the holder’s emissions score for the relevant activity under the authority;

(d) if the holder was, under section 126(1)(d), required to give the chief executive a statutory declaration about the relevant activities carried out under an environmental authority—

(i) a copy of the statutory declaration; and
(ii) for the suitably qualified person who completed the statutory declaration—the person’s contact details and evidence of the person’s membership of a prescribed organisation.

Maximum penalty—20 penalty units.

131

Authorised person may require holder to give information or documents

(1) An authorised person may, by written notice to the holder, require the holder to give the officer the information or documents about the payment of the reduced annual fee that the officer requires.

(2) The notice may state a reasonable period within which the information or documents must be given.

(3) The holder must comply with the notice unless the holder has a reasonable excuse.

Maximum penalty for subsection (3)—20 penalty units.

132

Requirement to notify change of eligibility

If the holder’s eligibility for the reduced annual fee under section (1)(c)(i) or (ii) stops during the year to which the fee applies, the holder must give the administering authority written notice of the fact within 10 business days after the eligibility stops.

Maximum penalty—20 penalty units.

133

Refunding difference between annual fee and reduced fee

(1) This section applies if the holder—

(a) is not eligible under section 165 to pay the reduced annual fee; or
(b) stops being eligible under that section to pay the reduced annual fee during the year to which the fee applies.

(2) The administering authority may by written notice require the holder to pay the authority, within 20 business days, the difference between the annual fee and the reduced annual fee.

Division 3 Amendment applications for environmental authorities

134 When supplementary annual fee payable

174 When supplementary annual fee payable [134]

(1) This section applies if—

(a) a person makes an amendment application for an environmental authority; and
(b) the administering authority decides to approve the application; and
(c) the annual fee payable for the amended environmental authority is higher than the annual fee paid for the environmental authority before the decision.

(2) The holder of the environmental authority must, within 20 business days after the amendment application is approved, pay the administering authority a supplementary annual fee worked out using the following formula—

\[ S = (A-P) \times \frac{N}{365} \]

where—

S is the amount of the supplementary annual fee.
A is the amount of the annual fee payable for the amended environmental authority.
Division 4 Supplementary annual fee for regulated waste transport

175 Supplementary annual fee for regulated waste transport

[135] (1) This section applies if—

(a) a person holds an amendment application for a regulated waste transport; and

(b) the activity carried out under the authority is transporting regulated waste, other than end-of-life tyres; and

(c) the AES for the activity increases (the increased AES); and

(d) amending the authority in accordance with the application increased AES would result in an annual fee being payable that is higher than the annual fee for the authority as stated in the last annual notice for the authority.

Note—
See schedule 2, section 57.

(2) The holder of the environmental administering authority must, by written notice, within 20 business days after
require the amendment application is approved, person to pay the administering authority a supplementary annual fee worked out using the following formula—

\[ S = (A - P) \times \frac{N}{365} \]

where—

- **S** is the amount of the supplementary annual fee.
- **A** is the amount of the annual fee for the authority that would be payable for the authority if the authority was amended in accordance with the amendment application increased AES.
- **P** is the amount of the annual fee stated in the last annual notice for the authority.
- **N** is the number of days from the day the authority was amended in accordance with the amendment application AES increased until the next anniversary day for the authority.

(3) If the holder does not pay the supplementary annual fee within 20 business days under subsection (2), after the administering authority may recover the supplementary annual fee as a debt owed to the authority.

Part (4) If the person does not pay the supplementary annual fee in full within the 20 business days, the administering authority may recover any unpaid amount of the supplementary annual fee as a debt owing to the authority.
138 **Fee for anniversary changeover application**

176 **Fee for changing anniversary day applications [138]**

(1) For section 316L(2) of the Act, the fee payable for an anniversary changeover application for an environmental authority is worked out using the following formula—

\[ F = $339.00 + (A \times N/365) \]

where—

- \( F \) is the amount of the fee.
- \( A \) is the amount of the annual fee for the environmental authority.
- \( N \) is the number of days in the interim year.

(2) In this section—

- **anniversary changeover application**, for an environmental authority, means an application under section 316L of the Act to change the anniversary day for the authority to a new day.

- **interim year**, for a proposed change of anniversary day, means the period—

(a) starting on the old anniversary day for the environmental authority; and

(b) ending on the new anniversary day in the following year after the proposed change.

Example—

If the old anniversary day was 1 June and the new anniversary day is 1 July, the period will be 31 days.
139 Fee for late payment of annual fee [139]

(1) This section applies if the holder of an environmental authority has not paid the annual fee for the authority on or before the anniversary day for the authority.

(2) The administering authority must give the holder a written notice stating that the holder must, within a stated period of at least 10 business days after the notice is given, pay—
   (a) the annual fee or the outstanding amount of the fee; and
   (b) the late payment fee stated in schedule 18.

(3) The holder must comply with the notice.

140 Fees for transitional environmental programs

178 Fees for transitional environmental programs [140]

(1) The fee for an administering authority’s consideration of a draft transitional environmental program, or an amendment of an approval for a transitional environmental program, is the amount that—
   (a) the authority considers to be reasonable; and
   (b) is not more than the reasonable cost of deciding the application for approval of the program or the amendment of the approval.

(2) The holder of an approval of a transitional environmental program must pay the administering authority a fee for its assessment of the holder’s annual returns and monitoring compliance with the program.

(3) The fee is the amount that—
   (a) the authority considers to be reasonable; and
   (b) is not more than the reasonable cost of the assessment and monitoring.
140A  Fee for termination of suspension of environmental authority [140A]

(1) For section 284G(2)(b) of the Act, the fee payable to terminate a suspension of an environmental authority is worked out using the following formula—

\[ F = A \times \frac{N}{365} \]

where—

- \( F \) is the amount of the fee.
- \( A \) is the amount of the annual fee for the environmental authority.
- \( N \) is the number of days in the interim year.

(2) In this section—

interim year, for a termination of a suspension of an environmental authority, means the period—

(a) starting on the day the notice to terminate the suspension is given to the administering authority; and

(b) ending on the next anniversary day for the authority.

Part 65 Exemptions

142 Administering authority exempt from fees for self-administered activities [142]

An administering authority is exempt from payment of a fee relating to an environmental authority for an environmentally relevant activity that is administered by the authority.

Note—

See chapter 7, part 1, division 2 (Matters not devolved to local government).
1431 Prescribed local government exempt from fees

(1) This section applies to the following (each a prescribed local government)—
   (a) an indigenous local government;
   (b) Aurukun Shire Council;
   (c) Mornington Shire Council;
   (d) Torres Shire Council.

(2) A prescribed local government is exempt from payment of a fee relating to an environmental authority for a prescribed ERA that is carried out by the local government in its local government area.

(3) In this section—
   indigenous local government see the Local Government Act 2009, schedule 4.

1441 Prescribed charitable institution exempt from fees

(1) A prescribed charitable institution is exempt from payment of a fee relating to an environmental authority for a prescribed ERA mentioned in schedule 2, section 63 if the prescribed ERA is carried out within the relevant threshold.

(2) In this section—
   prescribed charitable institution means a charitable institution—registered charity that, under the Income Tax Assessment Act 1997 (Cwlth), chapter 2, part 2-15, division 50, is an exempt institution entity that is eligible for a refund.
   relevant threshold means the stated threshold of operating sewage treatment works with a total daily peak design capacity of 21EP to 100EP under schedule 2, section 63(3).
Holders of particular environmental authorities exempt from annual fee [144B]

(1) This section applies to the holder of an environmental authority for mining activities that are eligible ERAs for only 1 of the following activities—

(a) an environmentally relevant activity carried out for the sole purpose of maintaining a State heritage place or a National heritage place;

(b) dimension stone mining for the sole purpose of constructing or maintaining a war grave.

(2) The holder is exempt from payment of the annual fee for the environmental authority.

(3) In this section—

Commonwealth War Graves Commission means the commission of that name established under royal charter in the United Kingdom.

National heritage place has the meaning given by the Environment Protection and Biodiversity Conservation Act 1999 (Cwlth), section 324C(3).

State heritage place means a State heritage place under the Queensland Heritage Act 1992.

war grave includes any of the following things for which the Commonwealth Department of Veterans’ Affairs or the Commonwealth War Graves Commission is responsible for establishing and maintaining under a law of a State, the Commonwealth or a foreign country—

(a) a headstone;

(b) a war memorial or similar memorial;

(c) an inscribed plaque or commemorative plate;

(d) a monumental, ornamental or other structure;

(e) another thing erected or placed—
(i) to mark the site where human remains have been buried or placed; or
(ii) to commemorate a deceased person.

Part 76 Refund of application fees

Refund of application fee for particular environmental authority if application for relevant mining tenement refused

(1) This section applies if—

   (a) a person has applied for an environmental authority for mining activities that are eligible ERAs; and
   (b) the person has applied for 1 or more relevant mining tenements for the environmental authority; and
   (c) each application for a relevant mining tenement mentioned in paragraph (b) has been refused or rejected.

(2) The administering authority must refund to the person the application fee for the environmental authority.

Chapter 8A10 Miscellaneous

When particular annual return must be given—Act, s.316IA

(1) This section applies in relation to the holder of an environmental authority for—

   (a) a prescribed ERA devolved to a prescribed local government under section 101; or
(b) an activity mentioned only in schedule schedule_2, part part_1, section section_2, 3 or 4.

(2) For section section_316IA(2)(b)(i) of the Act, the day prescribed—is the anniversary day for the holder’s environmental authority.

144D Limited amendment of Map of referable wetlands

186 Limited amendment of Map of Great Barrier Reef wetland protection areas [144D]

(1) The chief executive may amend the Map of referable wetlands Great_BARRIER_Reef_wetland_protection_areas only if the amendment—

(a) is to remove all or part of an area shown as a wetland management area or wetland-protection area; and

(b) is made because—

(i) more accurate information indicating the extent, or hydrological type, of the wetland has become available; or

(ii) the chief executive considers the wetland is not of high ecological significance.

(2) If the chief executive amends the map under this subsection subsection (1), the chief executive must—

(a) fix a new edition number to the amended map; and

(b) publish the amended map on the department’s website; and

(c) notify all affected owners about the amendment and the reasons for the amendment; and

(d) give all affected owners a copy of the amended map.

(3) In this section—
affected owner, for an amendment, wetland protection area means an owner of land that is no longer included in an area shown as a wetland management area or wetland protection area on the Map of referable wetlands because of the amendment Great Barrier Reef wetland protection areas.

Approval of guidelines about issuing particular environmental protection orders—Act, s 548A

For section 548A(2) of the Act, the guideline called ‘Issuing ‘chain of responsibility’ environmental protection orders under Chapter Chapter 7, Part Part 5, Division Division 2 of the Environmental Protection Act 1994’, made by the chief executive on 22 December 2016 and published on the department’s website, is approved under section 548A(2) of the Act.

Chapter 911 Repeal, Repeal and transitional and savings provisions

Part 1 Repeal

Repeal of regulation

Repeal [145]

The Environmental Protection Regulation 2008, SL No. 370 is repealed.
Part 2  Transitional provisions for Environmental Protection Regulation 2019

189  Definition for part
In this part—

*repealed regulation* means the repealed *Environmental Protection Regulation 2008*.

190  Transitional provisions to be inserted
[Insert text]

Chapter 12  Consequential amendments of other legislation

Part 1  Amendment of Biosecurity Regulation 2016

191  Regulation amended
This part amends the *Biosecurity Regulation 2016*.

192  Amendment of sch 11 (Dictionary)
Schedule 11, definition *intensive animal feedlotting, ‘Environmental Protection Regulation 2008, schedule 2, section 2’*—

*omit, insert—*

*Environmental Protection Regulation 2019,*
Part 2 Amendment of Environmental Offsets Regulation 2014

193 Regulation amended
This part amends the Environmental Offsets Regulation 2014.

194 Amendment of sch 2 (Prescribed environmental matters—matters of State environmental significance)
(1) Schedule 2, section 4(1)(a)(ii), ‘referable wetlands’—

*omit, insert*—

Queensland wetland environmental values

(2) Schedule 2, section 4(2)—

*omit, insert*—

(2) In this section—

high ecological value waters see the Environmental Protection (Biodiversity) Policy 2019, schedule 00.

Map of Great Barrier Reef wetland protection areas see the Environmental Protection Regulation 2019, schedule 19, part 2.

Map of Queensland wetland environmental values see the Environmental Protection (Biodiversity) Policy 2019, schedule 00.

watercourse see the Environmental Protection Regulation 2019, schedule 19, part 1, section 10.

wetland means an area shown as a wetland on the Map of Queensland wetland environmental values.
wetland protection area means an area shown as a wetland protection area on the Map of Great Barrier Reef wetland protection areas.

Part 3 Amendment of Planning Regulation 2017

195 Regulation amended
This part amends the Planning Regulation 2017.

196 Amendment of sch 24 (Dictionary)
Schedule 9, definition Environmental Protection Regulation—
omit, insert—
Environmental Protection Regulation means the Environmental Protection Regulation 2019.

Part 4 Amendment of State Penalties Enforcement Regulation 2014

197 Regulation amended
This part amends the State Penalties Enforcement Regulation 2014.

198 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)
(1) Schedule 1, entry for Environmental Protection Regulation 2008—
omit.
(2) Schedule 1—
**Environmental Protection Regulation 2019**

Chapter 12 Consequential amendments of other legislation
Part 4 Amendment of State Penalties Enforcement Regulation 2014

[s 198]

*insert—*

**Environmental Protection Regulation 2019**

<table>
<thead>
<tr>
<th>Column 1 Infringement notice offence</th>
<th>Column 2 Infringement notice fine (penalty units)</th>
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<td>s 83(5)</td>
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<td>Column 2 Infringement notice fine (penalty units)</td>
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<td>s 169</td>
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<td>s 170</td>
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</table>
Administering authority for an infringement notice offence that is an offence against a provision of the *Environmental Protection Regulation 2019*, or an infringement notice about the offence—

(a) for an infringement notice served by an employee of a local government—the local government; or

(b) otherwise—the agency in which the provision is administered

**Authorised person for service of infringement notices**—an authorised person appointed under the *Environmental Protection Act 1994*, section 445

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### Part 5

**Amendment of Waste Reduction and Recycling Regulation 2011**

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#### 199 Regulation amended

This part amends the *Waste Reduction and Recycling Regulation 2011*.

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#### 200 Amendment of s 6 (Regulated waste)

*Section 6, “Environmental Protection Regulation 2008”*
Amendment of s 23 (Excluded facilities and places—Act, s 99ZE)

Section 23(2), definition waste transfer station—

omit, insert—

waste transfer station means a facility used for—

(a) sorting or consolidating waste; and

(b) temporarily storing the waste before moving it from the site where the relevant activity is carried out.

Example of a waste transfer station—
a facility managed commercially that receives and sorts waste, and sends the recyclable waste to a recycling facility and the non-recyclable waste to a landfill on another site.

Amendment of sch 9 (Dictionary)

(1) Schedule 9, definition category 1 regulated waste, ‘Environmental Protection Regulation 2008, section 64A’—

omit, insert—

Environmental Protection Regulation 2019, section 43

(2) Schedule 9, definition category 2 regulated waste, ‘Environmental Protection Regulation 2008, section 64A(4)’—

omit, insert—

Environmental Protection Regulation 2019, section 43(4)
(3) Schedule 9, definition chemical, ‘Environmental Protection Regulation 2008, schedule 12’—
    omit, insert—
    Environmental Protection Regulation 2019, schedule 19

(4) Schedule 9, definition scheduled area, ‘Environmental Protection Regulation 2008, section 15’—
    omit, insert—
    The Environmental Protection Regulation 1998 2019, SL No. 29 is repealed section 14
Schedule 1 Matters to be addressed by assessment under EIS

sections 55(1) and 66(b)(ii)

General information

1 the background of the project including, for example, the following matters—
   • the project’s title
   • the designated proponent’s full name and postal address
   • a clear outline of the project’s objective
   • the project’s location
   • the background to the project’s development
   • how the project relates to any other actions, of which the proponent should reasonably be aware, that have been, or are being, taken or that have been approved in the area affected by the project
   • the project’s current status
   • the consequences of not proceeding with the project

Description

2 a description of the project, including the following matters—
   • the project’s components
   • the precise location of works to be undertaken, structures to be built or components of the project that may have relevant impacts
   • how the works are to be undertaken and design parameters for aspects of the structures or components of the project that may have relevant impacts
   • the project’s relevant impacts, including the matters under item 3
proposed safeguards and mitigation measures for dealing with the project’s relevant impacts, including the matters under item 4

any other requirements for, or conditions of, approval applying, or that the proponent reasonably believes are likely to apply, to the proposed project, including the matters under item 5

to the extent reasonably practicable, any feasible effective alternatives to the project, including, for example, the following—

• if relevant, the alternative of taking no action
• a comparative description of the impacts of each alternative on the matters of national environmental significance
• sufficient detail to clarify why any alternative is preferred to another

any consultation about the project, including, for example, the following—

• consultation taken and any documented response to, or result of, the consultation
• proposed consultation about the project’s relevant impacts

identification of affected persons and interested persons, including a statement mentioning any communities that may be affected and describing the communities’ views

Relevant impacts

the project’s relevant impacts under item 2 include the following matters—

• a description of the project’s relevant impacts
• a detailed assessment of the nature and extent of the likely short-term and long-term relevant impacts
• a statement about whether any relevant impacts are likely to be unknown, unpredictable or irreversible
• an analysis of the significance of the relevant impacts
any technical data and other information used or needed to make a detailed assessment of the relevant impacts

**Proposed safeguards and mitigation measures**

- the project’s proposed safeguards and mitigation measures under item 2 include the following matters—
  - a description, and an assessment of the expected or predicted effectiveness, of the mitigation measures for dealing with the project’s relevant impacts
  - any statutory or policy basis for the mitigation measures
  - the cost of the mitigation measures
  - an outline of an environmental management plan setting out the framework for continuing management, mitigation and monitoring programs for the project’s relevant impacts, including any provision for independent environmental auditing
  - the name of the entity responsible for endorsing or approving each mitigation measure or monitoring program
  - a consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the project’s relevant impacts, including mitigation measures proposed to be taken by the State, a local government or the proponent

**Other approvals and conditions**

- the project’s other approvals and conditions under item 2 include the following matters—
  - details of any planning instrument under the Planning Act dealing with the project including, for example, the following—
    - what environmental assessment of the project has been, or is being, carried out under the planning instrument
    - how the planning instrument provides for preventing, minimising and managing the project’s relevant impacts
• a description of any approval, other than the Commonwealth approval, obtained from a State or Commonwealth entity, including any approval conditions applying to the project
• a statement identifying any other required approval, other than the Commonwealth approval
• a description of the monitoring, enforcement and review procedures applying, or proposed to apply, to the project

**Proponent’s environmental record**

6 details of any proceedings under a law of the Commonwealth or a State for the protection of the environment or the conservation and sustainable use of natural resources (an environmental law) against the following—
• the proponent
• the applicant for any permit under an environmental law for the project

7 if the proponent is a corporation, details of the corporation’s environmental policy and planning framework

**Information sources**

8 details of the following about information given in the EIS—
• the source of the information
• how recent the information is
• how the reliability of the information was tested
• any uncertainties in the information
Schedule 2

Prescribed ERAs and aggregate environmental scores

sections 44-13 and 47-17

Editor’s note—
Some section numbers in this schedule have been deliberately left blank. Each section that is not used is identified in this schedule.

Part 1  Aquaculture and intensive animal industry

1  Aquaculture

(1) Aquaculture (the relevant activity) consists of cultivating or holding marine, estuarine or freshwater organisms in an enclosure on land or in waters.

(2) The relevant activity does not include cultivating or holding marine, estuarine or freshwater organisms—

(a) in an aquarium for display purposes only; or

(b) in an enclosure from which no water, other than uncontaminated stormwater, can be released to waters; or

(c) if the marine, estuarine or freshwater organisms receive no augmented food supply.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.
(4) In this section—

**augmented food supply**, for cultivating or holding marine, estuarine or freshwater organisms, means the addition of foods for cultivating or holding the organisms.

**enclosure** includes a cage, pond or tank.
2 Intensive animal feedlotting

(1) Intensive animal feedlotting (the *relevant activity*) consists of keeping more than 150 standard cattle units of cattle or more than 1,000 standard sheep units of sheep in a feedlot.

(2) The relevant activity does not include keeping cattle or sheep—

(a) in a drought-declared area, if the animals are fed no more than their nutritional requirements; or

(b) on a feed pad in a paddock; or

(c) for no longer than is reasonably necessary for—

(i) sale, slaughter or transport; or

(ii) weaning; or

(iii) animal husbandry; or

(iv) milking; or

(v) shearing.

(3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
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<tbody>
<tr>
<td>1 keeping the following number of standard cattle units in a feedlot—</td>
<td></td>
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</tr>
<tr>
<td>(a) more than 150 but not more than 1,000</td>
<td>14</td>
<td></td>
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<tr>
<td>(b) more than 1,000 but not more than 10,000</td>
<td>28</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000</td>
<td>49</td>
<td>C</td>
</tr>
<tr>
<td>2 keeping the following number of standard sheep units in a feedlot—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) more than 1,000 but not more than 10,000</td>
<td>12</td>
<td></td>
</tr>
</tbody>
</table>
(4) In this section—

animal husbandry includes—
(a) branding, dehorning, desexing, treating animals for pests (including preventative treating), vaccinating and veterinary work; and
(b) managing or treating animals as required under a law of the State for public health or safety.

Example—
keeping animals in an area that has been placed in quarantine

cattle includes—
(a) beef and dairy cattle; and
(b) cattle of all ages.

drought-declared area means an area that is considered to be severely affected by drought, however the relevant criterion is described, for the purpose of eligibility for assistance under a scheme administered by the State or Commonwealth government.

feedlot means a confined yard or enclosure that—
(a) contains watering and feeding facilities where cattle or sheep are fed entirely by hand or mechanically; and
(b) is designed, constructed or used in a way that does not allow cattle or sheep in the yard or enclosure to graze.

sheep includes sheep of all ages.

3 Pig keeping

(1) Pig keeping (the relevant activity) consists of keeping more than 400 standard pig units of pigs.
(2) The relevant activity does not include keeping pigs for no longer than is reasonably necessary for sale, slaughter or transport.

(3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 keeping more than 400 but not more than 3,500 standard pig units</td>
<td>27</td>
</tr>
<tr>
<td>2 keeping more than 3,500 but not more than 8,000 standard pig units</td>
<td>34 C</td>
</tr>
<tr>
<td>3 keeping more than 8,000 standard pig units</td>
<td>43 C</td>
</tr>
</tbody>
</table>

4 Poultry farming

(1) Poultry farming (the relevant activity) consists of farming a total of more than 1,000 birds for—
   (a) producing eggs or fertile eggs; or
   (b) rearing hatchlings, starter pullets or layers; or
   (c) rearing birds for meat.

(2) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 farming more than 1,000 but not more than 200,000 birds</td>
<td>no score</td>
</tr>
<tr>
<td>2 farming more than 200,000 birds</td>
<td>9 C</td>
</tr>
</tbody>
</table>

(3) In this section—
   birds means any of the following—
(a) chickens;
(b) ducks;
(c) geese;
(d) guineafowl;
(e) turkeys.

Part 2 Chemical, coal and petroleum products activities

5 Alcohol production

(1) Alcohol production (the relevant activity) consists of producing more than 200m³ of alcohol in a year.

(2) The relevant activity does not include production of alcoholic beverages by simple fermentation only.

Example of simple fermentation—

making beer

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>producing more than 200m³ of alcohol in a year</td>
<td>48</td>
<td>C</td>
</tr>
</tbody>
</table>

6 Asphalt manufacturing

(1) Asphalt manufacturing (the relevant activity) consists of manufacturing in a year more than 1,000t of asphalt.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.
7 Chemical manufacturing

(1) Chemical manufacturing (the relevant activity) consists of any of the following activities—

(a) manufacturing a total of 200m$^3$ or more of coating, food additives, industrial polish, sealant, synthetic dye, pigment, ink, adhesives or paint in a year;

(b) manufacturing a total of 200t or more of chemicals, other than chemicals mentioned in paragraph (a), in a year;

(c) using in the manufacturing process a total of 200t or more of chemicals as feedstock in a year.

(2) The relevant activity does not include—

(a) mixing non-combustible or non-flammable chemicals or chemical products that are not dangerous goods by diluting the chemicals or chemical products with water only; or

(b) blending ethanol with petrol; or

(c) manufacturing chemicals for carrying out an activity to which another section under this schedule applies, or would apply if the activity were carried out within a stated threshold under that section.

(3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>manufacturing more than 1,000t of asphalt in a year</td>
<td>32</td>
<td>C</td>
</tr>
</tbody>
</table>
### Threshold Aggregate Environmental Score

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate Environmental Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 manufacturing 200m³ or more of water based paint in a year</td>
<td>no score</td>
</tr>
<tr>
<td>2 manufacturing, in a year, the following total quantity of coating, food additives, industrial polish, sealant, synthetic dye, pigment, ink, adhesives or paint, other than water based paint—</td>
<td></td>
</tr>
<tr>
<td>(a) 200m³ to 1,000m³</td>
<td>10 C</td>
</tr>
<tr>
<td>(b) more than 1,000m³ but not more than 100,000m³</td>
<td>19 C</td>
</tr>
<tr>
<td>(c) more than 100,000m³</td>
<td>37 C</td>
</tr>
<tr>
<td>3 manufacturing, in a year, a total of 200t or more of any of the following—</td>
<td></td>
</tr>
<tr>
<td>(a) soap, surfactants or cleaning or toiletry products</td>
<td>39</td>
</tr>
<tr>
<td>(b) agricultural chemical products or chemicals for biological control</td>
<td>114 C</td>
</tr>
<tr>
<td>(c) medicines, pharmaceutical products, poisons or veterinary chemical products</td>
<td>115 C</td>
</tr>
<tr>
<td>(d) explosives</td>
<td>138 C</td>
</tr>
<tr>
<td>4 manufacturing, in a year, the following quantities of fertiliser—</td>
<td></td>
</tr>
<tr>
<td>(a) 200t to 5,000t</td>
<td>33 C</td>
</tr>
<tr>
<td>(b) more than 5,000t</td>
<td>153 C</td>
</tr>
<tr>
<td>5 manufacturing, in a year, the following quantities of organic chemicals, other than organic chemicals to which items 1 to 4 apply—</td>
<td></td>
</tr>
</tbody>
</table>
(4) In this section—

_**agricultural chemical product**_ means an agricultural chemical product under the _Agricultural and Veterinary Chemicals Code Act 1994_ (Cwlth).

_**manufacturing**_ includes combining, processing and reacting.

_**poison**_ means a poison in the ‘Standard for the Uniform Scheduling of Drugs and Poisons’ compiled by the Australian Health Ministers’ Advisory Council and published by the Commonwealth.

_**veterinary chemical product**_ means a veterinary chemical product under the _Agricultural and Veterinary Chemicals Code Act 1994_ (Cwlth).

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 200t to 1,000t</td>
<td>30</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 1,000t but not more than 10,000t</td>
<td>66</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t but not more than 100,000t</td>
<td>139</td>
<td>C</td>
</tr>
<tr>
<td>(d) more than 100,000t</td>
<td>202</td>
<td>C</td>
</tr>
</tbody>
</table>

6 manufacturing, in a year, the following quantities of inorganic chemicals, other than inorganic chemicals to which items 1 to 4 apply—

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 200t to 1,000t</td>
<td>56</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 1,000t but not more than 10,000t</td>
<td>115</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t but not more than 100,000t</td>
<td>200</td>
<td>C</td>
</tr>
<tr>
<td>(d) more than 100,000t</td>
<td>268</td>
<td>C</td>
</tr>
</tbody>
</table>
8 Chemical storage

(1) Chemical storage (the *relevant activity*) consists of storing—

(a) 50t or more of chemicals of dangerous goods class 1 or class 2, division 2.3 in containers of at least 10m³; or

(b) 50t or more of chemicals of dangerous goods class 6, division 6.1 in containers capable of holding at least 900kg of the chemicals; or

(c) more than 500m³ of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3; or

(d) the following quantities of other chemicals in containers of at least 10m³—

   (i) 200t or more, if they are solids or gases;

   (ii) 200m³ or more, if they are liquids.

(2) However, the relevant activity does not include—

(a) in-transit storage of chemicals; or

(b) storing chemicals for carrying out an activity under section 77; or

(c) transporting petroleum under the *Petroleum Act 1923* or the *Petroleum and Gas (Production and Safety) Act 2004*; or

(d) storing chemicals for carrying out an activity to which section 55, 56, 57 or 58 applies.

(3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>storing a total of 50t or more of chemicals of dangerous goods class 1 or class 2, division 2.3 under subsection (1)(a)</td>
<td>51</td>
</tr>
</tbody>
</table>
(4) In this section—

*container* includes a package or tank.

*in-transit storage*, of chemicals, means storage of the chemicals in a container for no more than 5 days at a place, if, during the storage—

(a) the container holding the chemicals is not opened; and

(b) the chemicals are neither used, nor intended to be used.

*Examples of in-transit storage*—

containers of chemicals being transported or awaiting transport or collection because of unavoidable delay

9 **Hydrocarbon gas refining**

(1) Hydrocarbon gas refining (the *relevant activity*) consists of refining natural gas or coal seam methane gas.

(2) The relevant activity does not include—

(a) collecting gas from sewage treatment works or from decomposition of organic waste in landfills associated
with carrying out a relevant waste management activity; or

(b) collecting naturally occurring gas from coal seams if the collection is authorised under an environmental authority for a resource activity; or

(c) reforming or synthesesing gas.

(3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>refining in a year—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) less than 200,000,000m³ of natural gas</td>
<td>no score</td>
<td>C</td>
</tr>
<tr>
<td>(b) 200,000,000m³ or more of natural gas</td>
<td>19</td>
<td>C</td>
</tr>
<tr>
<td>(c) coal seam gas</td>
<td>64</td>
<td>C</td>
</tr>
</tbody>
</table>

(4) In this section—

*relevant waste management activity* means an activity to which section 55 or 60 applies.

10 Gas producing

(1) Gas producing (the *relevant activity*) consists of manufacturing, processing or reforming 200t or more of hydrocarbon gas in a year.

(2) The relevant activity does not include—

(a) collecting gas from sewage treatment works or from decomposition of organic waste in landfills associated with carrying out a relevant waste management activity; or

(b) collecting gas from naturally occurring hydrocarbon deposits or coal seams.
(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>manufacturing, processing or reforming 200t or more of hydrocarbon gas in a year</td>
<td>64 C</td>
<td></td>
</tr>
</tbody>
</table>

(4) In this section—

relevant waste management activity means an activity to which section 55, 56, 58, 55 or 60, 60 applies.

11 Oil refining or processing

(1) Oil refining or processing (the relevant activity) consists of refining or processing crude oil or shale oil.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>refining or processing, in a year, the following quantity of crude or shale oil—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) less than 500m³</td>
<td>146 C</td>
<td></td>
</tr>
<tr>
<td>(b) 500m³ to 150,000m³</td>
<td>186 C</td>
<td></td>
</tr>
<tr>
<td>(c) more than 150,000m³</td>
<td>237 C</td>
<td></td>
</tr>
</tbody>
</table>

12 Plastic product manufacturing

(1) Plastic product manufacturing (the relevant activity) consists of—
(a) manufacturing, in a year, a total of 50t or more of plastic products, other than a plastic product mentioned in paragraph (b); or

(b) manufacturing, in a year, a total of 5t or more of foam, composite plastics or rigid fibre-reinforced plastics.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>manufacturing, in a year, a total of 50t or more of plastic product, other than a plastic product mentioned in item 2</td>
<td>28</td>
</tr>
<tr>
<td>2</td>
<td>manufacturing, in a year, a total of 5t or more of foam, composite plastics or rigid fibre-reinforced plastics</td>
<td>54</td>
</tr>
</tbody>
</table>

13 Tyre manufacturing or retreading

(1) Tyre manufacturing and retreading (the relevant activity) consists of either or both of the following—

(a) manufacturing tyres;

(b) retreading tyres.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>manufacturing tyres</td>
<td>36</td>
</tr>
<tr>
<td>2</td>
<td>retreading tyres</td>
<td>17</td>
</tr>
</tbody>
</table>
Part 3  Energy related services

14  Electricity generation
(1) Electricity generation (the *relevant activity*) consists of generating electricity by using fuel at a rated capacity of 10MW electrical or more.

(2) The relevant activity does not include co-generating electricity in association with carrying out another environmentally relevant activity.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>generating electricity by using gas at a rated capacity of 10MW electrical or more</td>
<td>72</td>
</tr>
<tr>
<td>2</td>
<td>generating electricity by using a fuel, other than gas, at a rated capacity of—</td>
<td></td>
</tr>
<tr>
<td>(a)</td>
<td>10MW electrical to 150MW electrical</td>
<td>76</td>
</tr>
<tr>
<td>(b)</td>
<td>more than 150MW electrical</td>
<td>151</td>
</tr>
</tbody>
</table>

(4) In this section—

*co-generating* means using a fuel to simultaneously produce heat and electrical energy.

15  Fuel burning
(1) Fuel burning (the *relevant activity*) consists of using fuel burning equipment that is capable of burning at least 500kg of fuel in an hour.

(2) The relevant activity does not include burning fuel for—
(a) carrying out an activity to which another section applies or would apply if it were carried out within a stated threshold under that section; or

(b) operating a stand-by generator for fewer than 200 hours in a year; or

(c) operating mobile equipment to respond, or for training to respond, to an emergency.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>using fuel burning equipment that is capable of burning at least 500kg of fuel in an hour</td>
<td>35</td>
<td>C</td>
</tr>
</tbody>
</table>

**Part 4**  
**Extractive activities**

**16 Extractive and screening activities**

(1) Extractive and screening activities (the *relevant activity*) consists of any of the following—

(a) dredging a total of 1,000t or more of material from the bed of naturally occurring surface waters, in a year;

(b) extracting, other than by dredging, a total of 5,000t or more of material, in a year, from an area;

*Examples*—

- extracting material for excavating a bund between existing waters and an artificial waterway being constructed on dry land
- extracting virgin rock from a quarry
- extracting rock, that has been previously broken, from a stockpile on the site from which the rock was originally extracted

(c) screening 5,000t or more of material, in a year.
The relevant activity does not include—

(a) extracting material under an environmental authority for a resource activity; or

(b) extracting material from a road reserve if—

(i) the material is to be used for constructing or maintaining a road; and

(ii) the surface area from which the material is extracted is less than 10,000m²; or

(c) extracting material from a place for constructing a road or railway at the place; or

Examples—

• cutting and filling land for constructing a road or railway
• extracting material for constructing a tunnel for a road or railway

(d) extracting material from a place, other than by dredging, for constructing the foundations of a building at the place; or

(e) extracting material for reshaping land if—

(i) reshaping the land does not involve blasting; and

(ii) the material is not removed from the site from which it is extracted; or

Example—

• cutting and filling land for creating building lots

(f) screening material on the site from which it has been extracted in the course of carrying out an activity mentioned in paragraphs (a) to (e).

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.
### Table: Threshold Aggregate Environmental Score

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate Environmental Score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  dredging, in a year, the following quantity of material—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 1,000t to 10,000t</td>
<td>11</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 10,000t but not more than 100,000t</td>
<td>25</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 100,000t but not more than 1,000,000t</td>
<td>44</td>
<td>C</td>
</tr>
<tr>
<td>(d) more than 1,000,000t</td>
<td>66</td>
<td>C</td>
</tr>
<tr>
<td>2  extracting, other than by dredging, in a year, the following quantity of material—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 5,000t to 100,000t</td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>(b) more than 100,000t but not more than 1,000,000t</td>
<td>39</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 1,000,000t</td>
<td>57</td>
<td>C</td>
</tr>
<tr>
<td>3  screening, in a year, the following quantity of material—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 5,000t to 100,000t</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>(b) more than 100,000t but not more than 1,000,000t</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td>(c) more than 1,000,000t</td>
<td>47</td>
<td></td>
</tr>
</tbody>
</table>

(4) In this section—

*material* includes clay, gravel, loam, rock, sand and other substances found in the earth.

*road reserve* means a road reserve under the *Land Act 1994*.

*screening* includes washing, crushing, grinding, milling, sizing or separating material.
17  **Section 17 not used**
See editor’s note for this schedule.

18  **Section 18 not used**
See editor’s note for this schedule.

## Part 5  Fabricated metal product activities

19  **Metal forming**

(1) Metal hot forming consists of hot forming a total of 10,000t or more of metal in a year.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>hot forming a total of 10,000t or more of metal in a year</td>
<td>no score</td>
<td>C</td>
</tr>
</tbody>
</table>

(3) In this section—

*hot forming*, in relation to metal, includes to heat the metal and—

(a) press, forge, extend, extrude or roll metal; or

(b) form metal into plate, wire or rods; or

(c) fabricate metal into sheets.

20  **Metal recovery**

(1) Metal recovery *(the relevant activity)* consists of recovering metal by operating—

(a) a scrap metal yard; or
(b) a facility for dismantling automotive or mechanical equipment, including debonding brake or clutch components.

(2) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>recovering less than 100t of metal in a day</td>
<td>no score</td>
<td>C</td>
</tr>
<tr>
<td>recovering 100t or more of metal in a day, or 10,000t or more of metal in a year—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) without using a fragmentiser</td>
<td>19</td>
<td>C</td>
</tr>
<tr>
<td>(b) using a fragmentiser</td>
<td>51</td>
<td>C</td>
</tr>
</tbody>
</table>

**Section 20 not used**
See editor’s note for this schedule.

21  **Section 21 not used**
See editor’s note for this schedule.

**Part 6  Food processing**

22  **Beverage production**

(1) Beverage production (the *relevant activity*) consists of producing 1ML or more of beverages in a year.

(2) The relevant activity does not include—

(a) *producing beverages for* carrying out an activity to which section 5 would apply, if the activity were carried out within a stated threshold under that section 5 *applies*; or
(b) producing non-alcoholic beverages if the production does not allow for the release of waste to waters; or

(c) bottling water.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 producing, in a year, the following quantity of non-alcoholic beverages—</td>
<td></td>
</tr>
<tr>
<td>(a) 1ML to 10ML</td>
<td>19</td>
</tr>
<tr>
<td>(b) more than 10ML</td>
<td>32</td>
</tr>
<tr>
<td>2 producing 1ML or more of alcoholic beverages in a year</td>
<td>55</td>
</tr>
</tbody>
</table>

23 Bottling and canning

(1) Bottling and canning (the relevant activity) consists of bottling or canning 200t or more of food in a year.

(2) The relevant activity does not include—

(a) bottling or canning that is included under another environmentally relevant activity; or

(b) bottling or canning for carrying out an activity to which another section applies; or

(b) bottling water.

(3) The aggregate environmental score for the relevant activity is 45.

24 Edible oil manufacturing or processing

(1) Edible oil manufacturing or processing consists of manufacturing or processing 1,000t or more of feedstock material for edible oil production in a year.
(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>manufacturing or processing 1,000t or more of feedstock material for edible oil production in a year</td>
<td>38</td>
<td>C</td>
</tr>
</tbody>
</table>

25 **Meat processing**

(1) Meat processing (the *relevant activity*) consists of either of the following—

(a) processing 1,000t or more of meat or meat products in a year, whether or not the processing includes rendering;

(b) rendering 100t or more of meat or meat products in a year, if the meat or meat products are not otherwise processed.

(2) The relevant activity does not include processing meat or meat products that—

(a) involves only chilling, curing, drying, freezing, packaging or smoking the meat or meat products; or

(b) does not involve any of the following—

(i) slaughtering animals;

(ii) rendering the meat or meat products;

(iii) the release of waste to waters;

(iv) the treatment of waste using anaerobic or facultative systems.

(3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.
(4) In this section—

*processing*, meat or meat products, includes slaughtering animals to produce meat or meat products.

*rendering* meat or meat products, *rendering*, means extracting by-products from the processing of animals, including fat, tallow, derivatives of fat or tallow or proteinaceous matter.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 processing, not including rendering, in a year, the following quantity of meat or meat products—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 1,000t to 5,000t</td>
<td>16</td>
<td></td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 50,000t</td>
<td>26</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 50,000t</td>
<td>41</td>
<td>C</td>
</tr>
<tr>
<td>2 processing, including rendering, in a year, the following quantity of meat or meat products—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 1,000t to 5,000t</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 50,000t</td>
<td>48</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 50,000t</td>
<td>66</td>
<td>C</td>
</tr>
<tr>
<td>3 rendering, without any other processing, in a year, the following quantity of meat or meat products—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 100t to 500t</td>
<td>no score</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 500t</td>
<td>29</td>
<td>C</td>
</tr>
</tbody>
</table>
26 Milk processing
(1) Milk processing (the relevant activity) consists of manufacturing or processing a total of 200t or more of dairy products in a year.
(2) The relevant activity does not include processing milk on a farm in the course of normal farm operations.
(3) The aggregate environmental score for the relevant activity is 37.
(4) In this section—

dairy products includes milk, evaporated or condensed milk, butter, cheese and ice-cream.

processing includes separating and evaporating.

27 Seafood processing
(1) Seafood processing (the relevant activity) consists of processing, in a year, 500t or more of seafood or seafood products.
(2) The relevant activity does not include—
(a) processing seafood involving only chilling, curing, drying, freezing, packaging or smoking the seafood; or
(b) processing seafood in retail premises, including, for example, fish shops and supermarkets; or
(c) cooking whole animals; or
(d) processing seafood on a boat in waters.
(3) The aggregate environmental score for the relevant activity is 15.

28 Sugar milling or refining
(1) Sugar milling or refining (the relevant activity) consists of either—
(a) crushing or grinding 200t or more of sugar cane in a year; or
(b) manufacturing 200t or more of sugar or other sugarcane products in a year.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>crushing or grinding 200t or more of sugar cane in a year or manufacturing 200t or more of sugar or other sugarcane products in a year</td>
<td>48</td>
<td>C</td>
</tr>
</tbody>
</table>

**Part 7  Metal production and mineral processing activities**

**29 Metal foundry operation**

(1) Metal foundry operation (the *relevant activity*) consists of—

(a) producing 100t or more of ferrous metal castings in a year; or

(b) producing 50t or more of non-ferrous metal castings in a year.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>producing, in a year, the following quantity of ferrous metal castings—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 100t to 1,000t</td>
<td>35</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 1,000t but not more than 5,000t</td>
<td>45</td>
<td>C</td>
</tr>
</tbody>
</table>
30 **Metal smelting and refining**

(1) Metal smelting and refining (the *relevant activity*) consists of processing ores, ore concentrates or impure metals to produce in a year—

(a) 1t or more of gold; or

(b) 10t or more of—

(i) a metal, other than gold; or

(ii) a metalloid.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) more than 5,000t but not more than 10,000t</td>
<td>47</td>
<td>C</td>
</tr>
<tr>
<td>(d) more than 10,000t</td>
<td>62</td>
<td>C</td>
</tr>
<tr>
<td>2 producing, in a year, 50t or more of non-ferrous metal castings using permanent moulds</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>3 producing, in a year, the following quantity of non-ferrous metal castings using non-permanent moulds—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 50t to 200t</td>
<td>16</td>
<td></td>
</tr>
<tr>
<td>(b) more than 200t but not more than 1,000t</td>
<td>19</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 1,000t but not more than 5,000t</td>
<td>28</td>
<td>C</td>
</tr>
<tr>
<td>(d) more than 5,000t</td>
<td>33</td>
<td>C</td>
</tr>
</tbody>
</table>
(3) In this section—

*metalloid* means an element that is both metallic and non-metallic.

*Examples*—

arsenic, bismuth, silicon

*processing* includes smelting.

### 31 Mineral processing

(1) Mineral processing (the *relevant activity*) consists of processing, in a year, a total of 1,000t or more of coke or mineral products.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 processing 1,000t or more of coke in a year</td>
<td>148</td>
<td>C</td>
</tr>
<tr>
<td>2 processing, in a year, the following quantities of mineral products, other than coke—</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(3) In this section—

*processing* includes—

(a) in relation to coke—quenching, cutting, crushing, and grading the coke; or

(b) in relation to other mineral products—washing, leaching, classifying, mixing and concentrating the mineral products.

Example for paragraph (b)—
magnetic separation of magnetite

### Part 8 Miscellaneous activities

#### 32 Battery manufacturing

(1) Battery manufacturing consists of manufacturing 200t or more of batteries in a year.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>manufacturing 200t or more of batteries in a year</td>
<td>35</td>
<td>C</td>
</tr>
</tbody>
</table>

#### 33 Crushing, milling, grinding or screening

(1) Crushing, milling, grinding or screening (the *relevant activity*) consists of crushing, grinding, milling or screening more than 5,000t of material in a year.
(2) The activity includes crushing waste, other than putrescible waste, to extract resources for reuse or recycling.

(32) The relevant activity does not include—

(a) crushing, grinding, milling or screening—
   (i) grain crops; or
   (ii) other agricultural products on a farm for use on the farm; or
   (iii) waste; or

(b) an activity to which section 16, 55 or 61 would apply, if the activity were carried out within a stated threshold under that section.
   crushing, grinding, milling or screening for carrying out an activity to which section 16 applies.

(43) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>crushing, grinding, milling or screening more than 5,000t of material in a year</td>
<td>no score</td>
<td>C</td>
</tr>
</tbody>
</table>

34 **Section 34 not used**

See editor’s note for this schedule.

35 **Plaster manufacturing**

(1) Plaster manufacturing consists of manufacturing or processing 5,000t or more of plaster in a year.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.
36 Pulp or paper manufacturing

(1) Pulp or paper manufacturing consists of manufacturing a total of 100t or more of pulp or paper products in a year.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>manufacturing or processing 5,000t or more of plaster in a year</td>
<td>47</td>
<td>C</td>
</tr>
<tr>
<td>manufacturing a total of 100t or more of pulp or paper products in a year</td>
<td>204</td>
<td>C</td>
</tr>
</tbody>
</table>

(3) In this section—

pulp or paper products means pulp, paper, cardboard, moulded paper pulp or similar products manufactured from any organic, recycled or synthetic fibre.

37 Section 37 not used

See editor’s note for this schedule.

38 Surface coating

(1) Surface coating (the relevant activity) consists of using, in a year—

(a) 1t or more of surface coating materials for anodising, electroplating, enamelling or galvanising; or

(b) more than 100t of surface coating materials for coating or painting or powder coating.
(2) The relevant activity does not include—
   (a) coating a surface using only a paintbrush, roller or sponge; or
   (b) coating or painting for marking pavements or roads; or
   (c) coating a surface in association with carrying out an activity to which section 48 or 49 applies.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 anodising, electroplating, enamelling or galvanising using, in a year, the following quantity of surface coating materials—</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>(a) 1t to 100t</td>
<td>10</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 100t but not more than 1,000t</td>
<td>19</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 1,000t but not more than 10,000t</td>
<td>41</td>
<td>C</td>
</tr>
<tr>
<td>(d) more than 10,000t</td>
<td>66</td>
<td>C</td>
</tr>
<tr>
<td>2 coating, painting or powder coating, using, in a year, more than 100t of surface coating materials</td>
<td>7</td>
<td></td>
</tr>
</tbody>
</table>

(4) In this section—
   **painting** includes—
   (a) adding a surface coating other than anodising, electroplating, enamelling or galvanising surfaces; and
   (b) spray painting.
39 **Tanning**

(1) Tanning consists of operating a tannery or facility for tanning, curing or finishing 100t or more of leather products in a year.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>operating a tannery or facility for tanning, curing or finishing 100t or more of leather products in a year</td>
<td>56</td>
<td>C</td>
</tr>
</tbody>
</table>

(3) In this section—

*leather products* includes—

(a) cured animal skins or hides; and

(b) finished leather.

40 **Textile manufacturing**

(1) Textile manufacturing consists of manufacturing or processing, in a year, a total of 100t or more of any of the following textile products in the way stated for the product—

(a) manufacturing carpet;

(b) scouring or carbonising wool;

(c) milling cotton;

(d) bleaching, dyeing or finishing natural fibre or synthetic textiles.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.
### Part 9  Non-metallic mineral product manufacture

#### 41  Cement manufacturing

(1) Cement manufacturing consists of, in a year—

(a) manufacturing 200t or more of cement; or

(b) calcining 200t or more of limestone.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>manufacturing 200t or more of cement in a year</td>
<td>92</td>
</tr>
<tr>
<td>2</td>
<td>calcining 200t or more of limestone in a year</td>
<td>92</td>
</tr>
</tbody>
</table>
42 Clay or ceramic products manufacturing

(1) Clay or ceramic products manufacturing (the relevant activity) consists of manufacturing 200t or more of clay or ceramic products in a year.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>manufacturing the following quantity of clay or ceramic products in a year—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 200t to 5,000t</td>
<td>32</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5,000t</td>
<td>62</td>
<td>C</td>
</tr>
</tbody>
</table>

(3) In this section—

clay or ceramic products includes bricks, pipes, pottery, refractories and tiles.

43 Section 43 not used

See editor’s note for this schedule.

44 Glass or glass fibre manufacturing

(1) Glass or glass fibre manufacturing consists of manufacturing 200t or more of glass or glass fibre in a year.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>manufacturing 200t or more of glass or glass fibre in a year</td>
<td>67</td>
<td>C</td>
</tr>
</tbody>
</table>
45 Mineral wool or ceramic fibre manufacturing

(1) Mineral wool or ceramic fibre manufacturing consists of manufacturing mineral wool or ceramic fibre.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>manufacturing mineral wool or ceramic fibre</td>
<td>55</td>
<td>C</td>
</tr>
</tbody>
</table>

Part 10 Sawmilling, woodchipping, and timber and laminated product manufacturing

46 Chemically treating timber

(1) Chemically treating timber for preservation on a commercial basis (the relevant activity) consists of the following—

   (a) using chemicals listed in AS1604.1, appendix B, other than copper chromium arsenic or creosote, to treat a total of 1,500m³ or more of timber in a year;

   (b) using copper chromium arsenic, creosote or a chemical not listed in AS1604.1, appendix B to treat timber.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>using chemicals listed in AS1604.1, appendix B, other than copper chromium arsenic or creosote, to treat 1,500m³ or more of timber in a year for preservation on a commercial basis</td>
<td>32</td>
<td>C</td>
</tr>
</tbody>
</table>
47 **Timber milling and woodchipping**

(1) Timber milling and woodchipping (the *relevant activity*) consists of milling a total of 5,000t or more of timber in a year.

(2) The relevant activity includes—

   (a) kiln-drying timber that has been milled; and

   (b) producing timber veneer.

(3) The relevant activity does not include—

   (a) carrying out the relevant activity as a mobile and temporary environmentally relevant activity for fewer than 2 consecutive days at any one place; or

   (b) carrying out the relevant activity in association with carrying on an activity to which section 48 applies, or would apply, if the activity were carried out within a stated threshold under that section.

(4) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>milling, in a year, the following total quantity of timber—</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(5) In this section—

milling includes sawing, cutting, chipping, compressing, dressing, finger-jointing, and machining.

timber includes logs.

48 Timber and laminated product fabrication

(1) Timber and laminated product manufacture (the relevant activity) consists of manufacturing, in a year, a total of—

(a) 5,000t or more of reconstituted timber products; or
(b) 100t or more of laminated products.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.
(3) In this section—

laminated products includes high pressure laminate sheeting, laminate-covered wooden or reconstituted timber products, thick laminates and fibre polymer laminates.

reconstituted timber products includes chipboard, glue laminated timber, laminated veneer lumber, medium density fibreboard and plywood.

Part 11 Transport and maritime services

49 Boat maintenance or repair

(1) Boat maintenance or repair (the relevant activity) consists of operating, on a commercial basis, a boat maintenance or repair facility for maintaining or repairing hulls, superstructure or mechanical components of boats or seaplanes if the facility is within 50 metres of a bed of naturally occurring surface waters.

(2) The relevant activity includes cleaning or maintaining hulls in water at a boat maintenance or repair facility or another place.

(3) The relevant activity does not include sail making.

(4) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>operating, on a commercial basis, a boat maintenance or repair facility for maintaining or repairing hulls, superstructure or mechanical components of boats or seaplanes</td>
<td>17</td>
<td></td>
</tr>
</tbody>
</table>
50 **Bulk-material handling**

**Mineral and bulk material handling**

(1) Bulk mineral and bulk material handling (the *relevant activity*) consists of—

   (a) loading or unloading minerals at a rate of 100t or more a day; or  
   (b) stockpiling 50,000t or more of minerals; or  
   (c) loading or unloading bulk materials—
      (i) in connection with operations at a port; and  
      (ii) at a rate of 100t or more a day; or  
   (d) stockpiling bulk materials in connection with operations at a port.

(2) The relevant activity does not include loading, unloading or stockpiling materials under on a site the subject of an environmental authority for a resource activity.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 loading or unloading 100t or more of minerals in a day or stockpiling 50,000t or more of minerals—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) within 5km of the highest astronomical tide or 1km of a watercourse</td>
<td>73</td>
<td>C</td>
</tr>
<tr>
<td>(b) at another place</td>
<td>49</td>
<td>C</td>
</tr>
<tr>
<td>2 loading or unloading 100t or more of bulk materials</td>
<td>73</td>
<td>C</td>
</tr>
</tbody>
</table>

(4) In this section—
bulk materials means unpackaged and loose materials or goods, other than minerals.

mineral see the Mineral Resources Act 1989, schedule.

port means the port area for a port under the Transport Infrastructure Act 1994, section 267AA.

51 Road tunnel ventilation stack operation
   (1) Road tunnel ventilation stack operation consists of operating a road tunnel ventilation stack.
   (2) The relevant activity does not include carrying out an activity associated with operating a road tunnel ventilation stack for the projects known as Clem Jones Tunnel and Airport Link Project described in the Coordinator-General’s reports for the EIS, and change reports, for the projects under the State Development and Public Works Organisation Act 1971.

   Editor’s note—
   The Clem Jones Tunnel was formerly called the North-South Bypass Tunnel.

   (3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>operating a road tunnel ventilation stack</td>
<td>36</td>
<td>C</td>
</tr>
</tbody>
</table>

52 Section 52 not used

See editor’s note for this schedule.
Part 12  Waste management

52 Battery recycling

(1) Battery recycling consists of operating a facility for receiving, and recycling or reprocessing, any type of battery.

(2) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>operating a facility for receiving, and recycling or reprocessing, any type of battery</td>
<td>no score</td>
</tr>
</tbody>
</table>

53 Organic material processing

(1) Organic material processing (the relevant activity) consists of operating a facility for processing, by way of composting or anaerobic digestion, more than 200t of organic material in a year.

(2) The relevant activity does not include—

(a) manufacturing mushroom growing substrate; or

(b) the composting of organic material from agriculture or livestock production if—

(i) the organic material is either—

(A) composted at the site where it was produced; or

(B) transported to another site, where agriculture or livestock production is carried out, and composted at that site; and

(ii) the composted organic material is supplied, free of charge, for use at a site where agriculture or livestock production is carried out; or
(c) the anaerobic digestion of organic material at a facility—
   (i) to which section 63 applies; or
   (ii) where an activity, to which section 25 applies, is carried out.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>processing more than 200t of organic material in a year—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) by composting the organic material</td>
<td>18</td>
<td>C</td>
</tr>
<tr>
<td>(b) by anaerobic digestion</td>
<td>16</td>
<td>C</td>
</tr>
</tbody>
</table>

(4) In this section—

*anaerobic digestion*, of organic material, means the decomposition of the organic material by microorganisms in the absence of oxygen.

*organic material* means—
(a) animal matter, including, for example, dead animals, animal remains and animal excreta; or
(b) plant matter, including, for example, bark, lawn clippings, leaves, mulch, pruning waste, sawdust, shavings, woodchip and other waste from forest products; or
(c) organic waste.

*organic waste*—
(a) includes the following—
   (i) a substance used for manufacturing fertiliser for agricultural, horticultural or garden use;
   (ii) animal manure;
(iii) biosolids;
(iv) cardboard and paper waste;
(v) fish processing waste;
(vi) food and food processing waste;
(vii) grease trap waste;
(viii) green waste;
(ix) poultry processing waste;
(x) waste generated from an abattoir; but
(b) does not include—
   (i) clinical or related biosecurity waste; or
   (ii) contaminated soil; or
   (iii) clinical or related waste; or
   (iv) quarantine waste contaminated soil; or
   (v) synthetic substances, other than synthetic substances to which paragraph (a)(i) applies.

55 Regulated waste recycling or reprocessing

54 Mechanical waste reprocessing [NEW]

(1) Regulated Mechanical waste recycling or reprocessing (the relevant activity) consists of operating a facility for receiving, receiving and recycling or reprocessing, regulated waste to produce saleable products mechanically reprocessing waste.

(2) The relevant activity does not include—
   (a) carrying out an activity to which section 25 or 53 would apply if the activity were carried out within a stated threshold under any of those sections; or
   (b) carrying out an activity to which section 52 applies; or
      baling or compacting clean paper, cardboard, aluminium cans or plastics; or
(eb) recycling or reprocessing tyre liquid waste; or
(d) manufacturing mushroom growing substrate.

reprocessing clean earth.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>(a) the regulated waste is in a solid form or an aqueous solution or suspension; and</td>
</tr>
<tr>
<td></td>
<td>(b) no more than 10t of regulated waste is stored or processed at the facility in a day; and</td>
</tr>
<tr>
<td></td>
<td>(c) all liquid or solid waste generated from the activity is released to a local government’s sewerage infrastructure or a facility mentioned in section 56, 58, 60 or 61</td>
</tr>
<tr>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>otherwise carrying out the relevant activity</td>
</tr>
</tbody>
</table>

56 Regulated waste storage

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>operating a facility for receiving and mechanically reprocessing, in a year, more than 5,000t of inert, non-putrescible waste or green waste only</td>
</tr>
<tr>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste—</td>
</tr>
</tbody>
</table>
(4) In this section—

mechanically reprocessing waste includes mechanically crushing, milling, grinding, shredding or sorting waste.

Examples—

reprocessing waste using a trommel, glass imploder, concrete crusher, green waste shredder or tyre shredder

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 5,000t or less</td>
<td>19</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 10,000t</td>
<td>25</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t</td>
<td>31</td>
<td>C</td>
</tr>
</tbody>
</table>

3 operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 2 regulated waste—

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 5,000t or less</td>
<td>29</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 10,000t</td>
<td>43</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t</td>
<td>56</td>
<td>C</td>
</tr>
</tbody>
</table>

4 operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 1 regulated waste—

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 5,000t or less</td>
<td>32</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 10,000t</td>
<td>50</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t</td>
<td>73</td>
<td>C</td>
</tr>
</tbody>
</table>
55 Other waste reprocessing or treatment [NEW]

(1) Regulated Other waste storage—reprocessing or treatment (the relevant activity) consists of operating a facility for receiving and storing regulated waste for more than 24 hours, and—

(2) The relevant activity does not include—

(a) storing tyres or parts of tyres; or

(b) storing regulated waste in transit—reprocessing the waste; or

(c) storing at a facility, for no more than 28 days, any of the following, awaiting removal from the facility for recycling, reprocessing, treatment or disposal—

i) treating the waste to render it non-hazardous or less hazardous;

(ii) pharmaceuticals;

(iii) body parts;

(iv) clinical waste consisting only of sharps in sharps containers that comply with AS 4031 or AS/NZS 4261; or

(d) storing at a facility chemically treated power poles awaiting removal from the facility for recycling, reprocessing or treatment; or

(e) storing at a facility any of the following, awaiting removal from the facility for recycling, reprocessing or treatment—

i) not more than 3,000 used lead-acid batteries, up to a total mass of 45t;

(ii) not more than 5,000L of waste oil; or

(f) carrying out an activity to which section 20, 25, 27, 53, 60, 61 or 62 would apply if the activity were carried out within a stated threshold under the section; or

The relevant activity does not include an activity to which section 53, 54, 61 or 62 applies.
Examples of the relevant activity—
operating a facility for receiving waste and reprocessing or treating the waste using bioremediation, chemical fixation, microwaves or an autoclave

(3) carrying out an activity to which section 55 or 58 applies.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>receiving and storing regulated waste</td>
<td>21</td>
<td>C</td>
</tr>
</tbody>
</table>

(4) In this section—

**AS 4031** means ‘AS 4031:1992—Non-reusable containers for the collection of sharp medical items used in health care areas’.

**AS/NZS 4261** means ‘AS/NZS 4261:1994—Reusable containers for the collection of sharp items used in human and animal medical applications’.

**in-transit**, in relation to storing regulated waste, means storing the waste for no more than 5 days, including, for example, while transporting the waste or because of an unavoidable delay in transporting the waste.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>operating a facility for receiving and either reprocessing or treating, in a year, the following quantity of general waste—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 5,000t or less</td>
<td>28</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 10,000t</td>
<td>39</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t</td>
<td>48</td>
<td>C</td>
</tr>
</tbody>
</table>
### Schedule 2

**Environmental Protection Regulation 2019**

**Consultation Draft May 2019**

**Section 56 not used**

See editor’s note for this schedule.

**Regulated waste transport**

1. Regulated waste transport (the *relevant activity*) consists of—
   - transporting regulated waste in a vehicle.

2. The relevant activity does not include—

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. operating a facility for receiving and either reprocessing or treating, in a year, the following quantity of category 2 regulated waste—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 5,000t or less</td>
<td>38</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 10,000t</td>
<td>52</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t</td>
<td>65</td>
<td>C</td>
</tr>
<tr>
<td>3. operating a facility for receiving and either reprocessing or treating, in a year, the following quantity of category 1 regulated waste—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 5,000t or less</td>
<td>46</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 10,000t</td>
<td>65</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t</td>
<td>82</td>
<td>C</td>
</tr>
<tr>
<td>4. operating a facility for receiving and either reprocessing or treating clinical waste or biosecurity waste</td>
<td>46</td>
<td>C</td>
</tr>
</tbody>
</table>
(b) transporting on a commercial basis any quantity—no more than 175kg—of regulated waste—asbestos—in a vehicle: or

(2b) The relevant activity does not include transporting chemically treated power poles in a vehicle.

self-haul transportation of no more than 250kg of regulated waste.

(3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 transporting tyres</td>
<td>no score</td>
</tr>
<tr>
<td>2 transporting regulated waste, other than tyres, in—</td>
<td></td>
</tr>
<tr>
<td>(a) 1 to 5 vehicles</td>
<td>7</td>
</tr>
<tr>
<td>(b) 6 to 35 vehicles</td>
<td>21</td>
</tr>
<tr>
<td>(c) 36 or more vehicles</td>
<td>42</td>
</tr>
</tbody>
</table>

If the relevant activity is transporting end-of-life tyres, the aggregate environmental score for the relevant activity is 2.

(4) In this section—

vehicle includes the part of an aircraft, boat, rolling stock, semi-trailer, tanker, trailer or truck, used to transport the regulated waste.

58 Regulated waste treatment

If the relevant activity is transporting regulated waste, other than end-of-life tyres, the aggregate environmental score for the relevant activity is the lesser of the following—

(1a) Regulated waste treatment (the relevant activity) consists of operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.
the number of registered vehicles for the relevant activity;

(2b) The relevant activity does not include—

36.

(a5) carrying out an activity to which section 25, 27, 53, 59 or 61 would apply if the activity were carried out within a stated threshold under any of those sections; or

In this section—

registered vehicle, for the relevant activity, means a vehicle that is registered, with the department, as a vehicle used to carry out the activity.

self-haul transportation, of waste, means the transportation of waste by or for a person if—

(ba) the person is the occupier of commercial premises where the waste is produced; and

carrying out an activity to which section 52 or 55 applies; or

(eb) remediation of contaminated soil at the site of the contamination.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous</td>
<td>90</td>
<td>C</td>
</tr>
</tbody>
</table>

(4) In this section—

regulated waste does not include reconditioned drums or containers that are clean and do not contain residues.
the waste is transported from the premises free of charge.

vehicle includes a part of an aircraft, boat, rolling stock, semi-trailer, tanker, trailer or truck used to transport waste.

58 Section 58 not used
See editor’s note for this schedule.

59 Tyre-recycling
(1) Tyre-recycling (the relevant activity) consists of operating a facility on a commercial basis for receiving and recycling or receiving and reprocessing 1,000 or more equivalent passenger units of tyres, or parts of tyres, in a year.
(2) The relevant activity does not include retreading tyres.
(3) There is no aggregate environmental score for the relevant activity.

Section 59 not used
See editor’s note for this schedule.

60 Waste disposal
(1) Waste disposal (the relevant activity) consists of only 1 of the following—
   (a) operating a facility for disposing of—
      (i) only regulated waste; or
      (ii) regulated waste and any, or any combination, of the following—
         (A) general waste;
         (B) limited regulated waste;
         (C) if the facility is in a scheduled area—no more than 5t of untreated clinical waste in a year;
Schedule 2

Environmental Protection Regulation 2019

Consultation Draft May 2019

Page 189

(b) operating a facility for disposing of—
   (i) only general waste; or
   (ii) general waste and either, or a combination, of the following—
      (A) a quantity of limited regulated waste that is no more than 10% of the total amount of waste received at the facility in a year;
      (B) if the facility is in a scheduled area—no more than 5t of untreated clinical waste;

(c) operating a facility for disposing of only inert waste;

(d) maintaining a decommissioned waste disposal facility.

(2) The relevant activity does not include using clean earth as fill.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
</tr>
<tr>
<td>operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection (1)(a)—</td>
<td>3</td>
</tr>
<tr>
<td>(a) less than 50,000t</td>
<td>65 C</td>
</tr>
<tr>
<td>(b) 50,000t to 100,000t</td>
<td>92 C</td>
</tr>
<tr>
<td>(c) more than 100,000t but not more than 200,000t</td>
<td>116 C</td>
</tr>
<tr>
<td>(d) more than 200,000t</td>
<td>119 C</td>
</tr>
<tr>
<td>2</td>
<td></td>
</tr>
<tr>
<td>operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection (1)(b)—</td>
<td></td>
</tr>
<tr>
<td>(a) less than 2,000t</td>
<td>18 C</td>
</tr>
<tr>
<td>(b) 2,000t to 5,000t</td>
<td>27 C</td>
</tr>
</tbody>
</table>
(4) In this section—

*decommissioned waste disposal facility*—

(a) means a facility, for which a person holds or held an environmental authority, that—

(i) was used for disposal of waste; and

(ii) no longer accepts waste for disposal; and

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) more than 5,000t but not more than 10,000t</td>
<td>37</td>
<td>C</td>
</tr>
<tr>
<td>(d) more than 10,000t but not more than 20,000t</td>
<td>45</td>
<td>C</td>
</tr>
<tr>
<td>(e) more than 20,000t but not more than 50,000t</td>
<td>56</td>
<td>C</td>
</tr>
<tr>
<td>(f) more than 50,000t but not more than 100,000t</td>
<td>65</td>
<td>C</td>
</tr>
<tr>
<td>(g) more than 100,000t but not more than 200,000t</td>
<td>82</td>
<td>C</td>
</tr>
<tr>
<td>(h) more than 200,000t</td>
<td>107</td>
<td>C</td>
</tr>
<tr>
<td>3 operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection (1)(c)—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) less than 50,000t</td>
<td>28</td>
<td>C</td>
</tr>
<tr>
<td>(b) 50,000t to 100,000t</td>
<td>35</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 100,000t but not more than 200,000t</td>
<td>40</td>
<td>C</td>
</tr>
<tr>
<td>(d) more than 200,000t</td>
<td>50</td>
<td>C</td>
</tr>
<tr>
<td>4 maintaining a decommissioned waste disposal facility</td>
<td>9</td>
<td></td>
</tr>
</tbody>
</table>
(iii) has had final capping installed in accordance with the environmental authority; but
(b) does not include a landfill if the environmental authority for the landfill has been surrendered under chapter 5, part 10 of the Act.

facility—
(a) includes a naturally occurring or constructed hollow or pit, including, for example, a gully, mining shaft or quarry; but
(b) does not include a hollow or pit on a farm used for receiving and disposing of general waste produced on the farm.

inert waste means—
(a) bricks, pavers, ceramics, concrete, glass or steel; or
(b) similar general waste that does not biodegrade or decompose.

limited regulated waste means any of the following types of regulated waste—
(a) animal effluent and residues, including abattoir effluent and poultry and fish processing waste;
(b) asbestos;
(c) biosecurity waste that has been rendered non-infectious;
(d) food processing waste;
(e) sewage sludge or residue produced in carrying out an activity to which section 63 applies;
(f) tyres.

61 Waste incineration and thermal treatment

Thermal waste reprocessing and treatment [NEW]

(1) Waste incineration—Thermal waste reprocessing and thermal treatment (the relevant activity) consists of operating a facility
for **incinerating**—thermally reprocessing or thermally—treating waste.

(2) The relevant activity does not include—

(a) incinerating human or animal remains unless the remains are clinical waste or quarantine waste; or

(b) thermal treatment of waste carried out as part of another activity that is a concurrence ERA.

**Example**—
thermally treating waste to generate electricity under section 14 (Electricity generation)

(3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>no score</td>
</tr>
<tr>
<td>2</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>51</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>41</td>
</tr>
</tbody>
</table>
(4) In this section—

*facility*, for incinerating vegetation, includes a fixed or mobile apparatus for blowing air into a hole in the ground to facilitate the incineration of the vegetation.

*thermally reprocessing or treating*, in relation to waste, means reprocessing or treating the waste by applying heat to the waste to render the waste less hazardous for disposal or change its chemical composition.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 5,000t or less</td>
<td>33</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 10,000t</td>
<td>39</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t</td>
<td>45</td>
<td>C</td>
</tr>
<tr>
<td>2 thermally reprocessing or treating, in a year, the following quantity of category 2 regulated waste—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 5,000t or less</td>
<td>43</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 10,000t</td>
<td>57</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t</td>
<td>70</td>
<td>C</td>
</tr>
<tr>
<td>3 thermally reprocessing or treating, in a year, the following quantity of category 1 regulated waste—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 5,000t or less</td>
<td>51</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5,000t but not more than 10,000t</td>
<td>69</td>
<td>C</td>
</tr>
<tr>
<td>(c) more than 10,000t</td>
<td>87</td>
<td>C</td>
</tr>
<tr>
<td>4 thermally reprocessing or treating clinical waste or biosecurity waste</td>
<td>51</td>
<td>C</td>
</tr>
</tbody>
</table>
Examples—
using an autoclave facility or plasma arc
gasification, incineration, pyrolysis, use of a plasma arc

62 Waste transfer station operation

Resource recovery and transfer facility operation [NEW]

(1) Waste—Resource recovery and transfer station—facility operation (the relevant activity) consists of operating, on operating a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that facility for—

(a) stores a total quantity of at least 4t, or 500 equivalent passenger units, of end-of-life tyres at any one time; or

(b) receiving and sorting, dismantling or baling waste; or

(2) The relevant activity does not include—

(a) in-transit storing of waste; or

(b) a local government operating a facility that receives a total quantity of not more than 11,000t or 11,000m³ of waste in a year; or

(b) receives a total quantity of at least 30t or 30m³ of waste on any day.

sorting and storing waste, generated by or because of a disaster situation, during the period of, and in the declared area for, the disaster situation; or

(2d) A waste transfer station is taken to have received a quantity of at least 30m³ of waste if the station receives containers or vehicles that have a combined total capacity of at least 30m³,

storing waste, for not more than 28 days, in accordance with an accredited product stewardship scheme; or
(3c) The relevant activity does not include operating—

- storing clinical waste consisting only of sharps in sharps containers that comply with AS 4031 or AS/NZS 4261; or

(a) a waste transfer station on a site if an activity to which section 60 applies is carried out on the site; or

- storing chemically-treated power poles; or

(b) operating a container refund point under the *Waste Reduction and Recycling Act 2011*, chapter 4, part 3B.; or

(4h) sorting or storing—

(i) a total quantity of no more than 6t or 6m³ of general waste at any one time; or

(ii) a total quantity of no more than 4t or 4m³ of category 2 regulated waste at any one time; or

(iii) a total quantity of no more than 1t or 1m³ of category 1 regulated waste at any one time.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>operating, on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) stores a total quantity of at least 4t, or 500 equivalent passenger units, of end-of-life tyres at any one time</td>
<td>14</td>
<td>C</td>
</tr>
<tr>
<td>(b) receives a total quantity of at least 30t or 30m³ of waste on any day</td>
<td>31</td>
<td>C</td>
</tr>
</tbody>
</table>
(54) In this section—

waste transfer station means a facility used for—

(a) sorting or consolidating waste; and

(b) temporarily storing the waste before moving it from the site where the relevant activity is carried out.

Example of a waste transfer station—

a facility managed commercially that receives and sorts waste, sends the recyclable waste to a recycling facility and the non-recyclable waste to a landfill on another site

accredited product stewardship scheme see the Waste Reduction and Recycling Act 2011, section 87(2).

AS 4031 means AS 4031—1992 (Non-reusable containers for the collection of sharp medical items used in health care areas).

AS/NZS 4261 means AS/NZS 4261—1994 (Reusable containers for the collection of sharp items used in human and animal medical applications).

declared area see the Disaster Management Act 2003, Schedule.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>operating a facility for receiving and sorting, dismantling, baling or temporarily storing—</td>
<td></td>
</tr>
<tr>
<td>(a)</td>
<td>scrap steel, non-putrescible waste or green waste only</td>
<td>6</td>
</tr>
<tr>
<td>(b)</td>
<td>general waste</td>
<td>14 C</td>
</tr>
<tr>
<td>(c)</td>
<td>category 2 regulated waste</td>
<td>26 C</td>
</tr>
<tr>
<td>(d)</td>
<td>category 1 regulated waste</td>
<td>35 C</td>
</tr>
<tr>
<td>2</td>
<td>operating a facility for receiving and sorting, baling or temporarily storing end-of-life tyres only</td>
<td>14 C</td>
</tr>
</tbody>
</table>
disaster situation see the Disaster Management Act 2003, schedule.

in-transit storage, of waste, means storage of the waste in a vehicle or container for no more than 5 days at a place if, during the storage, the waste is not removed from the vehicle or container.

period, of a disaster situation, see the Disaster Management Act 2003, schedule.

Part 13 Water treatment services

63 Sewage treatment

(1) Sewage treatment (the relevant activity) consists of—

(a) operating 1 or more sewage treatment works at a site that have a total daily peak design capacity of at least 21EP; or

(b) operating a sewage pumping station with a total design capacity of more than 40KL in an hour, if the operation of the pumping station is not an essential part of the operation of sewage treatment works to which paragraph (a) applies.

(2) The relevant activity does not include—

(a) carrying out works, other than operating a sewage pumping station mentioned in subsection (1)(b), involving only infrastructure for the collection of sewage, including, for example, pipes; or

(b) carrying out works involving either of the following—

(i) operating or maintaining composting toilets;

(ii) treating or recycling greywater; or

(c) operating no-release works.

(3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.
(4) In this section—

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 operating sewage treatment works, other than no-release works, with a total daily peak design capacity of—</td>
<td>3</td>
</tr>
<tr>
<td>(a) 21 to 100EP—</td>
<td></td>
</tr>
<tr>
<td>(i) if treated effluent is discharged from the works to an infiltration trench or through an irrigation scheme; or</td>
<td>14</td>
</tr>
<tr>
<td>(ii) otherwise</td>
<td>27</td>
</tr>
<tr>
<td>(b) more than 100 but not more than 1,500EP—</td>
<td></td>
</tr>
<tr>
<td>(i) if treated effluent is discharged from the works to an infiltration trench or through an irrigation scheme; or</td>
<td>27</td>
</tr>
<tr>
<td>(ii) otherwise</td>
<td>53</td>
</tr>
<tr>
<td>(c) more than 1,500 but not more than 4,000EP</td>
<td>76</td>
</tr>
<tr>
<td>(d) more than 4,000 but not more than 10,000EP</td>
<td>89</td>
</tr>
<tr>
<td>(e) more than 10,000 but not more than 50,000EP</td>
<td>114</td>
</tr>
<tr>
<td>(f) more than 50,000 but not more than 100,000EP</td>
<td>125</td>
</tr>
<tr>
<td>(g) more than 100,000EP</td>
<td>145</td>
</tr>
<tr>
<td>2 operating a sewage pumping station mentioned in subsection (1)(b)</td>
<td>no score</td>
</tr>
</tbody>
</table>
daily peak design capacity, for sewage treatment works, means the higher EP for the works calculated using each of the following formulae—

(a) \[ EP = \frac{V}{200} \]

where—

\[ V \] is the volume, in litres, of the average dry weather flow of sewage that can be treated at the works in a day;

(b) \[ EP = \frac{M}{2.5} \]

where—

\[ M \] is the mass, in grams, of phosphorus in the influent that the works are designed to treat as the inlet load in a day.

no-release works means sewage treatment works from which neither solid nor liquid contaminants are released to the environment, whether from inside or outside the works.

operating, sewage treatment works, includes—

(a) collecting gas from the treatment works; and

(b) operating a pump station or other works associated with the treatment works.

64 Water treatment

(1) Water treatment (the relevant activity) consists of carrying out any of the following activities in a way that allows waste, whether treated or untreated, to be released into the environment—

(a) desalinating 0.5ML or more of water in a day;

(b) treating 10ML or more of raw water in a day;

(c) carrying out advanced treatment of 5ML or more of water in a day.

(2) The relevant activity does not include—

(a) treating water in a way that allows liquid or solid waste to be released only to the following—
(i) a local government’s sewerage infrastructure;
(ii) a facility mentioned in section 56, 58, 60, 61 or 64; or
(b) treating water if the only treatment is disinfection or fluoridation; or
(c) treating water in association with carrying out an activity to which section 55, 56, 60, 61 or 63 applies.

(3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Aggregate environmental score</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 desalinating, in a day, the following quantity of water, allowing the release of waste only to seawater—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 0.5ML to 5ML</td>
<td>no score</td>
<td></td>
</tr>
<tr>
<td>(b) more than 5ML</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>2 desalinating, in a day, the following quantity of water, allowing the release of waste to waters other than seawater—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 0.5ML to 5ML</td>
<td>8</td>
<td>C</td>
</tr>
<tr>
<td>(b) more than 5ML</td>
<td>13</td>
<td>C</td>
</tr>
<tr>
<td>3 treating 10ML or more raw water in a day</td>
<td>26</td>
<td>C</td>
</tr>
<tr>
<td>4 carrying out, in a day, advanced treatment of 5ML or more of water, allowing the release of waste—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) only to seawater; or</td>
<td>34</td>
<td>C</td>
</tr>
<tr>
<td>(b) to waters other than seawater</td>
<td>45</td>
<td>C</td>
</tr>
</tbody>
</table>

(4) In this section—
advanced treatment, of water, means the treatment of water that has been treated in a sewage treatment plant by removing dissolved salts so that the water is potable or suitable for agricultural or industrial use.

mixed water means water that has undergone advanced water treatment and has been mixed with raw water.

raw water means—
(a) water derived—
   (i) directly from surface water; or
   (ii) from groundwater; or
(b) mixed water.

seawater means tidal waters, other than tidal waters between the banks of a river or stream.
**Schedule 2A3**  Aggregate environmental scores for particular resource activities

section 14.13(2)

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmentally relevant activity</td>
<td>Aggregate environmental score (AES)</td>
</tr>
<tr>
<td>1. activities under a GHG injection and storage lease under the GHG storage Act</td>
<td>49</td>
</tr>
<tr>
<td>2. a petroleum activity authorised under the <em>Petroleum (Submerged Lands) Act 1982</em></td>
<td>126</td>
</tr>
<tr>
<td>3. a petroleum activity that is likely to have a significant impact on a category A or B environmentally sensitive area</td>
<td>126</td>
</tr>
<tr>
<td>4. extending an existing pipeline by more than 150km under a petroleum authority</td>
<td>165</td>
</tr>
<tr>
<td>5. constructing a new pipeline of more than 150km under a petroleum authority</td>
<td>165</td>
</tr>
<tr>
<td>6. a petroleum activity carried out on a site that contains a high consequence dam or a significant consequence dam if the dam forms part of the activity</td>
<td>165</td>
</tr>
<tr>
<td>7. a petroleum activity involving injection of a waste fluid into a natural underground reservoir or aquifer</td>
<td>165</td>
</tr>
<tr>
<td>8. a petroleum activity or GHG storage activity, other than an activity mentioned in any of items 1 to 7, that includes 1 or more activities mentioned in schedule 2 for which an AES is stated</td>
<td>126</td>
</tr>
<tr>
<td>9. a mining activity involving drilling, costeaming, pitting or carrying out geological surveys causing significant disturbance</td>
<td>8</td>
</tr>
<tr>
<td>Column 1</td>
<td>Column 2</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Environmentally relevant activity</td>
<td>Aggregate environmental score (AES)</td>
</tr>
<tr>
<td>10 investigating the potential development of a mineral resource by large bulk sampling or constructing an exploratory shaft, adit or open pit</td>
<td>17</td>
</tr>
<tr>
<td>11 mining bauxite</td>
<td>97</td>
</tr>
<tr>
<td>12 mining mineral sand</td>
<td>120</td>
</tr>
<tr>
<td>13 mining black coal</td>
<td>128</td>
</tr>
<tr>
<td>14 mining iron ore</td>
<td>128</td>
</tr>
<tr>
<td>15 mining nickel ore</td>
<td>160</td>
</tr>
<tr>
<td>16 mining gold ore</td>
<td>216</td>
</tr>
<tr>
<td>17 mining copper ore</td>
<td>217</td>
</tr>
<tr>
<td>18 mining lead, silver or zinc separately or in any combination</td>
<td>185</td>
</tr>
<tr>
<td>19 mining metal ore, other than a metal ore mentioned in items 11, 12, 14, 15, 16, 17 or 18</td>
<td>158</td>
</tr>
<tr>
<td>20 clay pit mining, dimension stone mining or mining gemstones (including the material from which gemstones are extracted)—</td>
<td></td>
</tr>
<tr>
<td>(a) if the activity involves mining a quantity of material of at least 5,000t but not more than 100,000t in a year</td>
<td>22</td>
</tr>
<tr>
<td>(b) if the activity involves mining a quantity of material of more than 100,000t but not more than 1,000,000t in a year</td>
<td>39</td>
</tr>
<tr>
<td>(c) if the activity involves mining a quantity of material of more than 1,000,000t in a year</td>
<td>57</td>
</tr>
<tr>
<td>21 a mining activity that is an ineligible ERA, other than a mining activity mentioned in items 9 to 20</td>
<td>136</td>
</tr>
</tbody>
</table>
### Schedule 2B4

**Designated environmental areas—agricultural research facilities**

<table>
<thead>
<tr>
<th>Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applethorpe research station</td>
<td>Lot 249 on BNT1800 situated in the County of Bentinck</td>
</tr>
<tr>
<td>Ayr research station</td>
<td>Lot 97 on GS867 situated in the County of Gladstone</td>
</tr>
<tr>
<td>Bowen research station</td>
<td>Lot 112 on HR963, lot 1 on RP715403 and lot 39 on SP113324 situated in the County of Herbert</td>
</tr>
<tr>
<td>Bribie Island aquaculture research station</td>
<td>Lot 190 on CG805819 and lot 1 on SP248827 situated in the County of Canning</td>
</tr>
<tr>
<td>Bundaberg research station</td>
<td>Lot 16 on CK813259 situated in the County of Cook</td>
</tr>
<tr>
<td>Gatton research station</td>
<td>Lot 189 on CC3307 situated in the County of Churchill</td>
</tr>
<tr>
<td>Glengarry research station</td>
<td>Lot 34 on RP91429 situated in the County of Aubigny</td>
</tr>
<tr>
<td>Hermitage research station</td>
<td>Lots 100, 1304, 156 and 159 on ML2001 situated in the County of Merivale</td>
</tr>
<tr>
<td>J. Bjelke-Petersen research station</td>
<td>Lot 349 on CP904165 and lot 379 on FY2924 situated in the County of Fitzroy</td>
</tr>
<tr>
<td>Kairi research station</td>
<td>Lot 1 on SP241295 situated in the County of Nares</td>
</tr>
<tr>
<td>Name</td>
<td>Description</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Kennlea research station</td>
<td>Lot 3 on RP58646 and lot 1 on RP904403 situated in the County of Aubigny</td>
</tr>
<tr>
<td>Kingsthorpe research station</td>
<td>Lot 2 on RP129751 situated in the County of Aubigny</td>
</tr>
<tr>
<td>Leslie research station</td>
<td>Lot 928 on AG2196 situated in the County of Aubigny</td>
</tr>
<tr>
<td>Maroochy horticultural</td>
<td>Lot 676 on CG5055 and lot 941 on CG6160 situated in the County of Canning</td>
</tr>
<tr>
<td>research station</td>
<td></td>
</tr>
<tr>
<td>Mary Valley research station</td>
<td>Lot 3 on SP186078 situated in the County of March</td>
</tr>
<tr>
<td>Mutdapilly research station</td>
<td>Lot 111 on SP240462 situated in the County of Churchill</td>
</tr>
<tr>
<td>Redlands research station</td>
<td>Lots 31, 32 and 43 on C145614, lots 1, 2 and 3 on C668, lot 6 on C671 and lot 145 on SL11048 situated in the County of Stanley</td>
</tr>
<tr>
<td>Redvale research station</td>
<td>Lot 475 on FY2951 situated in the County of Fitzroy</td>
</tr>
<tr>
<td>Rosebank research station</td>
<td>Lot 218 on SP237183 situated in the County of Portland</td>
</tr>
<tr>
<td>South Johnstone research</td>
<td>Lot 61 on NR6878 situated in the County of Nares</td>
</tr>
<tr>
<td>station</td>
<td></td>
</tr>
<tr>
<td>Spyglass Beef research</td>
<td>Lot 4835 on CP858256, lot 1 on OC57, lot 3 on RP841848, lot 4 on SP233424 situated in the County of O’Connell</td>
</tr>
<tr>
<td>station</td>
<td></td>
</tr>
<tr>
<td>Swans Lagoon research</td>
<td>Lot 7 on GS1064, lot 11 on GS1065, lots 3 and 6 on SP143785 and lot 116 on SP256839 situated in the County of Gladstone</td>
</tr>
<tr>
<td>Name</td>
<td>Description</td>
</tr>
<tr>
<td>-----------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tropical weeds research station and residence</td>
<td>Lot 36 on CP889406, lots 208 and 209 on DV583, lot 197 on DV735 and lot 1 on MPH785 situated in the County of Davenport</td>
</tr>
<tr>
<td>Walkamin research station</td>
<td>Lot 568 on N157284 situated in the County of Nares</td>
</tr>
<tr>
<td>Wellcamp field research station</td>
<td>Lot 209 on AG5878 situated in the County of Aubigny</td>
</tr>
<tr>
<td>Applethorpe research station</td>
<td>Lot 249 on BNT1800</td>
</tr>
<tr>
<td>Ayr research station</td>
<td>Lot 97 on GS867</td>
</tr>
<tr>
<td>Bowen research station</td>
<td>Lot 112 on HR963, lot 1 on RP715403 and lot 39 on SP113324</td>
</tr>
<tr>
<td>Bribie Island aquaculture research station</td>
<td>Lot 190 on CG805819 and lot 1 on SP248827</td>
</tr>
<tr>
<td>Bundaberg research station</td>
<td>Lot 16 on CK813259</td>
</tr>
<tr>
<td>Gatton research station</td>
<td>Lot 189 on CC3307</td>
</tr>
<tr>
<td>Hermitage research station</td>
<td>Lots 100, 1304, 156 and 159 on ML2001 and lot 2 on SP156026</td>
</tr>
<tr>
<td>J. Bjelke-Petersen research station</td>
<td>Lot 349 on CP904165 and lot 379 on FY2924</td>
</tr>
<tr>
<td>Kairi research station</td>
<td>Lot 1 on SP241295</td>
</tr>
<tr>
<td>Kennlea research station</td>
<td>Lot 3 on RP58646 and lot 1 on RP904403</td>
</tr>
<tr>
<td>Kingsthorpe research station</td>
<td>Lot 2 on RP129751</td>
</tr>
<tr>
<td>Leslie research station</td>
<td>Lot 928 on AG2196</td>
</tr>
<tr>
<td>Maroochy horticultural research station</td>
<td>Lot 676 on CG5055 and lot 941 on CG6160</td>
</tr>
<tr>
<td>Name</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Mary Valley research station</td>
<td>Lot 3 on SP186078</td>
</tr>
<tr>
<td>Redlands research station</td>
<td>Lots 1, 2, 3, 4, 5 and 43 on SP280786</td>
</tr>
<tr>
<td>Redvale research station</td>
<td>Lot 475 on FY2951</td>
</tr>
<tr>
<td>South Johnstone research station</td>
<td>Lot 61 on NR6878</td>
</tr>
<tr>
<td>Spyglass Beef research station</td>
<td>Lot 4835 on CP858256, lot 1 on OC57, lot 3 on RP841848 and lot 4 on SP233424</td>
</tr>
<tr>
<td>Tropical weeds research station and residence</td>
<td>Lot 36 on CP889406, lots 208 and 209 on DV583, lot 197 on DV735 and lot 1 on MPH785</td>
</tr>
<tr>
<td>Walkamin research station</td>
<td>Lot 568 on N157284</td>
</tr>
<tr>
<td>Wellcamp field research station</td>
<td>Lot 209 on AG3878</td>
</tr>
</tbody>
</table>
Schedule 2C5  Prescribed conditions for small scale mining activities

section 23A27

Part 1 Definitions for sch-2C schedule

In this schedule—

dam means a man-made structure or hollow prepared for the retention of aqueous substances used in or produced by the operation of a mining activity.

density of cover, of vegetation in a particular area, means—

(a) if the plant species are trees or shrubs—the number of trees or shrubs in the area; or

(b) if the plant species are understorey species, including, for example, grasses and forbs—the percentage of surface area covered by a particular species in the area.

guidelines for Livestock Drinking Water means the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

water bore means an artesian bore or a sub-artesian bore under the Water Act 2000.

Part 2 Conditions for mining claims and exploration permits

1 This part applies to a small scale mining tenure if the mining activity for the tenure is carried out under a mining claim or exploration permit.
2 The holder of the small scale mining tenure must rehabilitate all areas disturbed by the mining activity on the mining tenure before—
   (a) the tenure expires; or
   (b) the tenure is surrendered.

3 For an area that has been mined on the tenure, the holder must finish progressive rehabilitation of the area within 1 year of finishing the mining activity in the area.

4 The holder must carry out and finish rehabilitation works to establish a landform—
   (a) that is safe, stable and self-sustaining; and
   (b) with vegetation of a species and density of cover similar to surrounding undisturbed areas or the landform that existed before the mining activity.

5 However, section 4 does not apply to infrastructure of the mine that remains on the land under section 6.

6 For infrastructure of the mine that remains on the land after the small scale mining activity stops, the holder must enter into a written agreement with the owner of the land providing for the owner to take over responsibility for the infrastructure.

   Examples of infrastructure of a mine—
   a dam or dam, a road

7 If a dam remains on the land after the small scale mining activity stops and is used for livestock drinking supplies, the holder must ensure that—
   (a) the dam is safe; and
   (b) its water quality complies with the acceptable water quality Guidelines for Livestock Drinking Water when the agreement with the landowner takes effect; and
      the dam’s water quality complies with the document ‘Australian and New Zealand guidelines for fresh and marine water quality’, published in October 2000, when the agreement with the landowner takes effect; and
   (c) safe access is provided for livestock and native animals.
8 The holder of a small scale mining tenure, other than if the holder is a holder mentioned in section 9 to which section 10 applies, must give the scheme manager a surety of an amount prescribed under schedule 2D for the holder’s—

(a) the holder’s tenure type; and

(b) the holder’s environmental risk of the activity under the tenure; and

(c) the proposed area of disturbance as stated in—

(i) if the work program for the holder’s tenure is a current mining claim under the Mineral Resources Act 1989, sections 61(1)(j)(iv) and 81(1)(c)—the holder’s work program for the current mining claim; or

(ii) if the program of work for the holder’s tenure is a exploration permit under the Mineral Resources Act 1989, section 133(f)(i)—the holder’s program of work for the permit.

8A The surety must be paid—

(a) before the day the relevant mining activity is carried out under the mining tenure; and

(b) as security for—

(i) compliance with other prescribed conditions for carrying out the small scale mining activity; and

(ii) costs or expenses, or likely costs or expenses, mentioned in section 316C of the Act.

9 Section 10–11 applies if the holder of a small scale mining tenure—

(a) held, on 31 March 2013, an environmental authority for the activity carried out under the tenure; and

(b) an amount of financial assurance for the environmental authority is held by the administering authority.

10 The holder must give the administering authority financial assurance of an amount that is equal to the amount held.
Notes—
1 Under the Act, section 712(2) of the Act, the amount of financial assurance for an environmental authority held by the administering authority is taken to be the financial assurance required under this condition.
2 Under the Mineral and Energy Resources (Financial Provisioning) Act 2018, section 90, the financial assurance required under this condition is taken to be a surety given under part 3 of that Act for the small scale mining tenure.

Part 3 Additional conditions for exploration permits

1 This part applies to a small scale mining tenure if the mining activity for the tenure is carried out under an exploration permit.
2 The holder must rehabilitate drill pads and excavations as soon practicable after sampling is finished, and within 3 months of starting the drilling or excavating.
3 The holder must, within 30 business days of drilling starting, ensure that any drill hole is—
   (a) decommissioned; or
   (b) converted to a water bore.
4 If a drill hole is to be used for ongoing groundwater production or monitoring purposes, the holder must convert the drill hole to a water bore under the Water Act 2000.
5 The holder may only transfer a functional water bore to an owner of land only if the holder and the owner enter into a written agreement for the transfer.
6 Any drill hole or water bore that is not transferred to the owner or the State must be decommissioned by cementing the hole, including the annular space around casing, from top to bottom.
Schedule **2D6**  

**Amount of surety**

*Section 23A and Schedule 2C5*

<table>
<thead>
<tr>
<th>Tenure type</th>
<th>Mining claim</th>
<th>Exploration permit (minerals)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hand mining (previously mined)</td>
<td>Hand mining (not previously mined)</td>
</tr>
<tr>
<td>Environmental risk of the activity (area of disturbance hectares)</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>0 to 0.1</td>
<td>200</td>
<td>400</td>
</tr>
<tr>
<td>more than 0.1 to 0.5</td>
<td>400</td>
<td>800</td>
</tr>
<tr>
<td>more than 0.5 to 1</td>
<td>1,000</td>
<td>2,000</td>
</tr>
<tr>
<td>more than 1 to 2</td>
<td>2,000</td>
<td>4,000</td>
</tr>
<tr>
<td>more than 2 to 3</td>
<td>3,000</td>
<td>6,000</td>
</tr>
<tr>
<td>more than 3 to 4</td>
<td>4,000</td>
<td>8,000</td>
</tr>
<tr>
<td>more than 4 to 5</td>
<td>5,000</td>
<td>10,000</td>
</tr>
</tbody>
</table>
**Schedule 2E7  Trackable waste and waste codes**

Section 81C-71 and Schedule 1219, Part-Part 2, Definition Waste Code

Explanatory notes to schedule 2E

1. A substance is trackable waste if it is regulated waste of a type mentioned in this schedule.
2. If a substance falls under more than 1 item in this list, and the code for one of the items is marked with an asterisk, the code for the substance is the code marked with an asterisk.

<table>
<thead>
<tr>
<th>Type of waste</th>
<th>Waste code</th>
</tr>
</thead>
<tbody>
<tr>
<td>acidic solutions and acids in solid form</td>
<td>B100</td>
</tr>
<tr>
<td>animal effluent and residues, including abattoir effluent and poultry and fish processing wastes</td>
<td>K100</td>
</tr>
<tr>
<td>antimony and antimony compounds</td>
<td>D170</td>
</tr>
<tr>
<td>arsenic and arsenic compounds</td>
<td>D130</td>
</tr>
<tr>
<td>asbestos</td>
<td>N220</td>
</tr>
<tr>
<td>barium compounds, other than barium sulphate</td>
<td>D290</td>
</tr>
<tr>
<td>basic (alkaline) solutions and bases (alkalis) in solid form</td>
<td>C100</td>
</tr>
<tr>
<td>beryllium and beryllium compounds</td>
<td>D160</td>
</tr>
<tr>
<td>boron compounds</td>
<td>D310</td>
</tr>
<tr>
<td>cadmium and cadmium compounds</td>
<td>D150</td>
</tr>
<tr>
<td>chemical waste arising from a research and development or teaching activity, including new or unidentified material and material whose effects on human health or the environment are not known</td>
<td>T100</td>
</tr>
</tbody>
</table>
### Type of waste

<table>
<thead>
<tr>
<th>Waste Description</th>
<th>Waste code</th>
</tr>
</thead>
<tbody>
<tr>
<td>chlorates</td>
<td>D350</td>
</tr>
<tr>
<td>chromium compounds (hexavalent and trivalent)</td>
<td>D140</td>
</tr>
<tr>
<td>clinical and related waste</td>
<td>R100*</td>
</tr>
<tr>
<td>copper compounds</td>
<td>D190</td>
</tr>
<tr>
<td>cyanides (inorganic)</td>
<td>A130</td>
</tr>
<tr>
<td>cyanides (organic)</td>
<td>M210</td>
</tr>
<tr>
<td>encapsulated, chemically fixed, solidified or polymerised wastes</td>
<td>N160*</td>
</tr>
<tr>
<td>ethers</td>
<td>G100</td>
</tr>
<tr>
<td>filter cake, other than filter cake waste generated from the treatment of raw water for the supply of drinking water</td>
<td>N190</td>
</tr>
<tr>
<td>fire debris and fire washwaters</td>
<td>N140*</td>
</tr>
<tr>
<td>fly ash</td>
<td>N150</td>
</tr>
<tr>
<td>grease trap waste</td>
<td>K110</td>
</tr>
<tr>
<td>halogenated organic solvents</td>
<td>G150</td>
</tr>
<tr>
<td>highly odorous organic chemicals, including mercaptans and acrylates</td>
<td>M260</td>
</tr>
<tr>
<td>inorganic fluorine compounds, other than calcium fluoride</td>
<td>D110</td>
</tr>
<tr>
<td>inorganic sulfides</td>
<td>D330</td>
</tr>
<tr>
<td>isocyanate compounds</td>
<td>M220</td>
</tr>
<tr>
<td>liquid food processing waste</td>
<td>K200</td>
</tr>
<tr>
<td>lead and lead compounds</td>
<td>D220</td>
</tr>
<tr>
<td>material containing polychlorinated biphenyls (PCBs), polychlorinated naphthalenes (PCNs), polychlorinated terphenyls (PCTs) or polyn brominated biphenyls (PBBs)</td>
<td>M100</td>
</tr>
<tr>
<td>mercury and mercury compounds</td>
<td>D120</td>
</tr>
<tr>
<td>Type of waste</td>
<td>Waste code</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>metal carbonyls</td>
<td>D100</td>
</tr>
<tr>
<td>mineral oils</td>
<td>J100</td>
</tr>
<tr>
<td>nickel compounds</td>
<td>D210</td>
</tr>
<tr>
<td>non-toxic salts</td>
<td>D300</td>
</tr>
<tr>
<td>oil and water mixtures or emulsions, or hydrocarbons and water mixtures or</td>
<td>J120</td>
</tr>
<tr>
<td>emulsions</td>
<td></td>
</tr>
<tr>
<td>organic phosphorous compounds</td>
<td>H110</td>
</tr>
<tr>
<td>organic solvents, other than halogenated solvents</td>
<td>G110</td>
</tr>
<tr>
<td>organohalogen compounds, other than another substance stated in this schedule</td>
<td>M160</td>
</tr>
<tr>
<td>per- and poly-fluoroalkyl-fluroalkyl substances</td>
<td>M270</td>
</tr>
<tr>
<td>perchlorates</td>
<td>D340</td>
</tr>
<tr>
<td>pharmaceuticals, drugs and medicines</td>
<td>R120*</td>
</tr>
<tr>
<td>phenols and phenol compounds, including chlorophenols</td>
<td>M150</td>
</tr>
<tr>
<td>phosphorus compounds, other than mineral phosphates</td>
<td>D360</td>
</tr>
<tr>
<td>polychlorinated dibenzo-furan (any congener)</td>
<td>M170</td>
</tr>
<tr>
<td>polychlorinated dibenzo-p-dioxin (any congener)</td>
<td>M180</td>
</tr>
<tr>
<td>residues from industrial waste treatment or disposal operations</td>
<td>N205</td>
</tr>
<tr>
<td>selenium and selenium compounds</td>
<td>D240</td>
</tr>
<tr>
<td>sewage sludge and residues, including nightsoil and septic tank sludge</td>
<td>K130</td>
</tr>
<tr>
<td>surface active agents (surfactants) containing principally organic</td>
<td>M250</td>
</tr>
<tr>
<td>constituents, whether or not also containing metals and other inorganic</td>
<td></td>
</tr>
<tr>
<td>materials</td>
<td></td>
</tr>
<tr>
<td>tannery wastes, including leather dust, ash, sludges and flours</td>
<td>K140</td>
</tr>
<tr>
<td>Type of waste</td>
<td>Waste code</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>tarry residues arising from refining, distillation or any pyrolytic treatment</td>
<td>J160</td>
</tr>
<tr>
<td>tellurium and tellurium compounds</td>
<td>D250</td>
</tr>
<tr>
<td>thallium and thallium compounds</td>
<td>D180</td>
</tr>
<tr>
<td>triethylamine catalysts for setting foundry sands</td>
<td>M230</td>
</tr>
<tr>
<td>tyres</td>
<td>T140</td>
</tr>
<tr>
<td>vanadium compounds</td>
<td>D270</td>
</tr>
<tr>
<td>waste containing peroxides other than hydrogen peroxide</td>
<td>E100</td>
</tr>
<tr>
<td>waste from a heat treatment or tempering operation that uses cyanides</td>
<td>A110</td>
</tr>
<tr>
<td>waste from surface treatment of metals or plastics</td>
<td>A100</td>
</tr>
<tr>
<td>waste from the manufacture, formulation or use of—</td>
<td></td>
</tr>
<tr>
<td>• biocides or phytopharmaceuticals</td>
<td>H100</td>
</tr>
<tr>
<td>• inks, dyes, pigments, paints, lacquers or varnish</td>
<td>F100</td>
</tr>
<tr>
<td>• organic solvents</td>
<td>G160</td>
</tr>
<tr>
<td>• photographic chemicals or processing materials</td>
<td>T120</td>
</tr>
<tr>
<td>• resins, latex, plasticisers, glues or other adhesives</td>
<td>F110</td>
</tr>
<tr>
<td>• wood-preserving chemicals</td>
<td>H170</td>
</tr>
<tr>
<td>waste from the manufacture or preparation of pharmaceutical products</td>
<td>R140</td>
</tr>
<tr>
<td>waste of an explosive nature, other than an explosive within the meaning of the Explosives Act 1999</td>
<td>E120</td>
</tr>
<tr>
<td>wool-scouring wastes</td>
<td>K190</td>
</tr>
<tr>
<td>zinc compounds</td>
<td>D230</td>
</tr>
</tbody>
</table>
Schedule 2F8  Prescribed information for waste tracking

section 81E74

1 Generator

(1) This section states the prescribed information about waste given by a generator to a transporter for sections 81I-78 and 81R87.

(2) The generator must give all of the following information to the transporter—

(a) the generator’s—
   (i) name, address, local government area and contact details; or
   (ii) generator identification number;

(b) if the generator is a business—the generator’s ABN;

(c) the name, address and contact details of the person to whom the waste is to be transported;

(d) the day the generator gives the waste to the transporter for transporting;

(e) the unique identifier for the transportation of the load of waste;

(f) for a load of waste transported to a receiver outside Queensland—the consignment number for the load;

(g) if the waste is dangerous goods—the type and number of containers in which the waste is contained;

(h) the following details of the waste—
   (i) the type of waste;
   (ii) the amount of the waste, expressed as a stated number of kilograms or litres;
   (iii) its physical nature (solid, liquid, paste or gas);
(iv) the waste code of the waste;

(v) if the waste is dangerous goods—
   (A) its UN number; and
   (B) its packing group designator; and
   (C) its dangerous goods class and any subsidiary risk.

(3) The generator must record, and must give to the administering authority, all of the following information—
   (a) the information mentioned in subsection (2);
   (b) the transporter’s name, address and contact details;
   (c) the transporter’s environmental authority number;
   (d) if the vehicle used to transport the waste is a motor vehicle—the vehicle’s registration number.

2 Transporter

(1) This section states the prescribed information about waste given by a transporter to a receiver for sections 81J and 81N.

(2) The transporter must give all of the following information to the receiver—
   (a) the information mentioned in section 1(2) received from the generator;
   (b) for a load of waste transported from a generator outside Queensland—the consignment number for the load;
   (c) the transporter’s name, address and contact details;
   (d) the transporter’s environmental authority number;
   (e) if the vehicle used to transport the waste is a motor vehicle—the vehicle’s registration number;
   (f) any jurisdiction, other than Queensland, in which the waste has been transported;
   (g) the day and time the transporter gives the waste to the receiver.
(3) The transporter must record the following information—
(a) the information mentioned in subsection (2);
(b) the receiver’s name, address and contact details;
(c) the receiver’s environmental authority number.

3 Receiver

(1) This section states the prescribed information about waste given to a receiver by a transporter for sections 81K, 80 and 81O.

(2) The receiver must record the following information—
(a) the information mentioned in section 2(2) received from the transporter;
(b) the amount of waste received, expressed as a stated number of kilograms or litres;
(c) whether the waste is received for recycling, conversion to energy, another type of treatment, storage or disposal;
(d) the disposal or treatment code for the way of disposing of or treating the waste.

(3) The receiver must give the following information to the administering authority—
(a) the information mentioned in subsection (2);
(b) the receiver’s name, address and contact details;
(c) the receiver’s environmental authority number.
**Schedule 2G9**  
National environment protection (movement of controlled waste between States and Territories) measure, schedule A, list 2

schedule 1219, part 2, definition *environmentally significant characteristic*

**Schedule A List**  
**Schedule A, list 2:** Characteristics of controlled wastes

<table>
<thead>
<tr>
<th>Dangerous Goods Class (UN Class)</th>
<th>UN Code</th>
<th>Characteristic</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>H1</td>
<td>Explosive</td>
</tr>
<tr>
<td></td>
<td></td>
<td>An explosive substance or waste is a solid or liquid substance or waste (or mixture of substances or wastes) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings.</td>
</tr>
<tr>
<td>3</td>
<td>H3</td>
<td>Flammable Liquids</td>
</tr>
</tbody>
</table>
The word *flammable* has the same meaning as *inflammable*. Flammable liquids are liquids, or mixtures of liquids, or liquids containing solids in solution or suspension (for example, paints, varnishes, lacquers, etc., but not including substances or wastes otherwise classified on account of their dangerous characteristics) which give off flammable vapour at temperatures of not more than 60.5 degrees Celsius, closed-cup test, or not more than 65.6 degrees Celsius, open-cup test. (Since the results of open-cup tests and of closed-cup tests are not strictly comparable and even individual results by the same test are often variable, regulations varying from the above figures to make allowances for such differences would be within the spirit of the definition.)

<table>
<thead>
<tr>
<th>Dangerous Goods Class (UN Class)</th>
<th>UN Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1 H4.1 Flammable solids</td>
<td></td>
<td>Solids or waste solids, other than those classified as explosives, which under conditions encountered in transport are readily combustible, or may cause or contribute to fire through friction.</td>
</tr>
<tr>
<td>4.2 H4.2 Substances or wastes liable to spontaneous combustion</td>
<td></td>
<td>Substances or wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up in contact with air, and being then liable to catch fire.</td>
</tr>
<tr>
<td>4.3 H4.3 Substances or wastes which, in contact with water, emit flammable gases</td>
<td></td>
<td>Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.</td>
</tr>
</tbody>
</table>
### Dangerous Goods Class (UN Class) | UN Code | Description
--- | --- | ---
5.1 | H5.1 | Oxidising
| | | Substances or wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen, cause or contribute to, the combustion of other materials.
5.2 | H5.2 | Organic peroxides
| | | Organic substances or wastes which contain the bivalent-O-structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition.
6.1 | H6.1 | Poisonous (acute)
| | | Substances or wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.
6.2 | H6.2 | Infectious substances
| | | Substances or wastes containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.
8 | H8 | Corrosives
| | | Substances or wastes which, by chemical action, will cause severe damage when in contact with living tissue, or in the case of leakage, will materially damage, or even destroy, other goods or the means of transport; they may also cause other hazards.
9 | H10 | Liberation of toxic gases in contact with air or water
| | | Substances or wastes which, by liberation with air or water, are liable to give off toxic gases in dangerous quantities.
<table>
<thead>
<tr>
<th>Dangerous Goods Class (UN Class)</th>
<th>UN Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>H11</td>
<td>Toxic (delayed or chronic)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Substances or wastes which, if they are inhaled or ingested or if they penetrate the skin, may involve delayed or chronic effects, including carcinogenicity.</td>
</tr>
<tr>
<td>9</td>
<td>H12</td>
<td>Ecotoxic</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Substances or wastes which if released present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation and/or toxic effects upon biotic systems.</td>
</tr>
<tr>
<td>9</td>
<td>H13</td>
<td>Capable of yielding another material which possesses H1-H12</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Capable by any means, after disposal, of yielding another material, e.g., leachate, which possesses any of the characteristics listed above.</td>
</tr>
</tbody>
</table>

Other Reasons

Potential to have a significant adverse impact on ambient air quality.

Potential to have a significant adverse impact on ambient marine, estuarine or freshwater quality.

_Note_—

UN Class and Code relates to the hazard classification system included in the United Nations Recommendations on the Transport of Dangerous Goods as used in Australia.
Schedule **2H10** Disposal and treatment codes for waste tracking

schedule **1219, part 2,** definitions *disposal code* and *treatment code*

### Part 1 Disposal codes

The following ways of dealing with waste do not include resource recovery, recycling, reclamation, direct re-use or an alternative use of the waste.

<table>
<thead>
<tr>
<th>Disposal code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>D1</td>
<td>Disposal to a landfill</td>
</tr>
<tr>
<td>D2</td>
<td>Land farming</td>
</tr>
<tr>
<td>D4</td>
<td>Surface impoundment</td>
</tr>
<tr>
<td>D8</td>
<td>Biological treatment in a way not otherwise mentioned in this part</td>
</tr>
<tr>
<td>D9A</td>
<td>Immobilisation or solidification</td>
</tr>
<tr>
<td>D9B</td>
<td>Physico/chemical treatment other than immobilisation or solidification</td>
</tr>
<tr>
<td>D10</td>
<td>Incineration</td>
</tr>
<tr>
<td>D12</td>
<td>Permanent storage</td>
</tr>
<tr>
<td>D13</td>
<td>Blending or mixing before disposal in another way mentioned in this part</td>
</tr>
<tr>
<td>D14</td>
<td>Repackaging before disposal in another way mentioned in this part</td>
</tr>
<tr>
<td>D15</td>
<td>Storage before disposal in another way mentioned in this part</td>
</tr>
</tbody>
</table>
Part 2 Treatment codes

The following ways of dealing with waste may include resource recovery, recycling, reclamation, direct re-use or an alternative use of the waste.

<table>
<thead>
<tr>
<th>Treatment code</th>
</tr>
</thead>
<tbody>
<tr>
<td>using waste as a fuel, other than by direct incineration</td>
</tr>
<tr>
<td>recycling or reclaiming a substance, other than a substance mentioned in items R6 to R8, if it is—</td>
</tr>
<tr>
<td>• an organic substance used as a solvent</td>
</tr>
<tr>
<td>• an organic substance not used as a solvent</td>
</tr>
<tr>
<td>• a metal or metal compound other than a drum</td>
</tr>
<tr>
<td>• an inorganic substance other than a metal or metal compound</td>
</tr>
<tr>
<td>recycling or reclaiming—</td>
</tr>
<tr>
<td>• an acid or base</td>
</tr>
<tr>
<td>• a component used for pollution abatement</td>
</tr>
<tr>
<td>• a component from a catalyst</td>
</tr>
<tr>
<td>refining used oil or otherwise using previously used oil</td>
</tr>
<tr>
<td>using a residual trackable waste obtained from treatment in another way mentioned in this part</td>
</tr>
<tr>
<td>storage before treatment in another way mentioned in this part</td>
</tr>
<tr>
<td>recycling, reconditioning or laundering of drums</td>
</tr>
</tbody>
</table>
Schedule 3B11

Approved ERA standards for environmentally relevant activities

section 24B29

1. Eligibility criteria and standard conditions—Geothermal exploration activities –version 2
2. Eligibility criteria and standard conditions—Petroleum exploration activities –version 2
3. Eligibility criteria and standard conditions—Petroleum pipeline activities –version 2
4. Eligibility criteria and standard conditions—Petroleum survey activities –version 2
5. Eligibility criteria and standard conditions for cattle feedlotting (ERA 2) –version 2
6. Eligibility criteria and standard conditions for sheep feedlotting (ERA 2) –version 2
7. Eligibility criteria and standard conditions for pig keeping (ERA 3) –version 2
8. Eligibility criteria and standard conditions for poultry farming (ERA 4) –version 2
9. Eligibility criteria and standard conditions for chemical manufacturing (water based paint) (ERA 7) –version 2
10. Eligibility criteria and standard conditions for chemical manufacturing (soap, surfactants or cleaning or toiletry products) (ERA 7) –version 2
11. Eligibility criteria and standard conditions for retreading tyres (ERA 13) –version 2
12. Eligibility criteria and standard conditions for extracting material (ERA 16) –version 2
<table>
<thead>
<tr>
<th></th>
<th>Eligibility criteria and standard conditions for screening (5,000 tonnes to 100,000 tonnes of material in a year) (ERA 16) –version 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Eligibility criteria and standard conditions for screening (more than 100,000 tonnes but not more than 1 million tonnes of material in a year) (ERA 16) –version 2</td>
</tr>
<tr>
<td>14</td>
<td>Eligibility criteria and standard conditions for screening (more than 1 million tonnes of material in a year) (ERA 16) –version 2</td>
</tr>
<tr>
<td>15</td>
<td>Eligibility criteria and standard conditions for bottling or canning food (ERA 23) –version 2</td>
</tr>
<tr>
<td>16</td>
<td>Eligibility criteria and standard conditions for meat processing (not including rendering) (ERA 25) –version 2</td>
</tr>
<tr>
<td>17</td>
<td>Eligibility criteria and standard conditions for meat processing (including rendering) (ERA 25) –version 2</td>
</tr>
<tr>
<td>18</td>
<td>Eligibility criteria and standard conditions for milk processing (ERA 26) –version 2</td>
</tr>
<tr>
<td>19</td>
<td>Eligibility criteria and standard conditions for metal foundry (ERA 29) –version 2</td>
</tr>
<tr>
<td>20</td>
<td>Eligibility criteria and standard conditions for surface coating (ERA 38) –version 2</td>
</tr>
<tr>
<td>21</td>
<td>ERA standard–Regulated waste transport (ERA 57) – version 1</td>
</tr>
<tr>
<td>22</td>
<td>Eligibility criteria and standard conditions for tyre recycling sewage treatment works (ERA 59/63) –version 2</td>
</tr>
<tr>
<td>23</td>
<td>Eligibility criteria and standard conditions for sewage treatment works (ERA 63) –exploration and mineral development projects –version 2</td>
</tr>
<tr>
<td>24</td>
<td>Eligibility criteria and standard conditions for exploration and mineral development projects mining claims – version 2</td>
</tr>
<tr>
<td>25</td>
<td>Eligibility criteria and standard conditions for mining lease activities – version 2</td>
</tr>
</tbody>
</table>
Schedule 412  Scheduled areas

section 4514

Part 1  Local government areas

1  Aurukun shire
2  Balonne shire
3  Barcaldine region
4  Barcoo shire
5  Blackall Tambo region
6  Boulia shire
7  Bulloo shire
8  Burke shire
9  Carpentaria shire
10 Cherbourg shire
11 Cloncurry shire
12 Cook shire
13 **Croydon shire**
14 **Croydon-Diamantina** shire
15 **Diamantina-Doomadgee** shire
16 **Doomadgee-Etheridge** shire
17 **Etheridge-Flinders** shire
18 **Flinders shire**
   Goondiwindi region
19 **Goondiwindi region**
   Hope Vale shire
20 **Hope Vale-Kowanyama** shire
21  Kowanyama shire
    Lockhart River shire
22  Longreach region
23  Lockhart River–Mapoon shire
23  Longreach region
24  Mapoon shire
24A  Maranoa region
25  McKinlay shire
26  Mornington shire
27  Mount Isa city
28  Murweh shire
29  Napranum shire
30  North Burnett region
31  Northern Peninsula Area region
32  Paroo shire
33  Pormpuraaw shire
34  Quilpie shire
35  Richmond shire
36  Richmond–Torres shire
37  Torres shire
    Torres Strait Island region
38  Torres Strait Island region
38A  Western Downs region
39  Winton shire
40  Woorabinda shire
41  Wujal Wujal shire
42  Yarrabah shire
Part 2  Parts of local government areas

1. the part of the local government area of Banana Shire Council that was, immediately before 15 March 2008, the part of the local government area of Taroom Shire Council

2. the part of the local government area of Bundaberg Regional Council that was, immediately before 15 March 2008, the local government area of Kolan Shire Council

3. the parts of the local government area of Central Highlands Regional Council that were, immediately before 15 March 2008, the local government areas of Bauhinia Shire Council and Peak Downs Shire Council

4. the part of the local government area of Charters Regional Council that was, immediately before 15 March 2008, the local government area of Dalrymple Shire Council

5. the parts of the local government area of Fraser Coast Regional Council that were, immediately before 15 March 2008, the local government area of Woocoo Shire Council and part of the local government area of Tiaro Shire Council

6. the parts of the local government area of Gympie Regional Council that were, immediately before 15 March 2008, the local government area of Kilkivan Shire Council and part of the local government area of Tiaro Shire Council

7. the part of the local government area of Isaac Regional Council that was, immediately before 15 March 2008, the local government area of Nebo Shire Council

8. the part of the local government area of Rockhampton Regional Council that was, immediately before 15 March 2008, the local government area of Mount Morgan Shire Council

9. the part of the local government area of Somerset Regional Council that was, immediately before 15 March 2008, the local government area of Kilcoy Shire Council
Schedule 412

52. the parts of the local government area of South Burnett Regional Council that were, immediately before 15 March 2008, the local government areas of Murgon Shire Council and Wondai Shire Council

53. the parts of the local government area of Toowoomba Regional Council that were, immediately before 15 March 2008, the local government areas of Cambooya Shire Council, Clifton Shire Council, Millmerran Shire Council and Pittsworth Shire Council
Schedule 513  Environmental objective assessment

section 5135(1)(a) and (3)(a)

Part 1  Preliminary

1  Definitions for sch 5 schedule

In this schedule—

*application* means an application for which an environmental objective assessment must be carried out.

*contingency measures* means measures planned and implemented to minimise the risk to the environment of releases of emissions into the environment during periods when an activity may not be operating under normal conditions.

*existing flow regime*, for water or a watercourse or wetland, means the flow regime for water or a watercourse or wetland existing prior to any discharge of water or contaminants into water or a watercourse or wetland caused from the carrying out of an activity.

*fugitive emissions* means emissions that are not captured by a collection system or vent system.

*performance outcome* means a performance outcome mentioned in table part 3, division 1 or 2.

*regulated structure* means a structure that is assessed as being a regulated structure under the document ‘Manual for assessing consequence categories and hydraulic performance of structures’ published by the department.

*shut down and start up emissions* means emissions released into the environment during the commencement and completion of a process, including a temporary suspension of an operation.
stable, for a site, means the rehabilitation and restoration of the site is enduring or permanent so that the site is unlikely to collapse, erode or subside.

Part 2 General matters to be addressed by environmental objective assessment

2 General information

(1) The assessor must decide the extent to which the application achieves each environmental objective relevant to the application.

(2) In assessing whether the application achieves the relevant environmental objective, the assessor must decide whether the activity the subject of the application achieves item 1 of the performance outcome stated for the environmental objective.

(3) If the assessor is not satisfied the activity the subject of the application achieves item 1 of the performance outcome for the relevant environmental objective, the assessor must decide whether the activity achieves the relevant item 2 performance outcomes stated for the environmental objective.

(4) The application achieves the relevant environmental objective if the assessor is satisfied the activity the subject of the application achieves—

(a) item 1 of the performance outcome for the relevant environmental objective; or

(b) item 2 of the performance outcomes for the relevant environmental objective.

(5) If the assessor is not satisfied the application achieves a performance outcome for the relevant environmental objective, the assessor may still decide the application achieves the relevant environmental objective if the application includes alternative measures for the activity the subject of the application to achieve the environmental objective.
Note—
Nothing in this schedule prevents the assessor from granting an application that the assessor considers does not satisfy each environmental objective mentioned in this schedule or prevents the assessor from refusing to grant an application the assessor is satisfied achieves each environmental objective mentioned in this schedule.

3 Assessing whether application minimised adverse effects

(6) If a performance outcome requires the assessor to assess whether an adverse effect has been minimised, an adverse effect has been minimised if the assessor is satisfied all reasonable and practical measures have been taken to minimise the adverse effect.

(7) In deciding whether all reasonable and practical measures have been taken to minimise the adverse effect, the assessor must consider the following matters—

(a) the nature of the harm or potential harm;
(b) the sensitivity of the receiving environment;
(c) the current state of technical knowledge for the activity;
(d) the likelihood of successful application of different measures that might be taken to minimise the adverse effects;
(e) the financial implications of the different measures as they would relate to the type of activity;
(f) if the adverse effect is caused by the location of the activity being carried out, whether it is feasible to carry out the activity at another location.
### Part 3  Environmental objectives and performance outcomes

#### Table Division 1  Operational assessment

<table>
<thead>
<tr>
<th>Environment</th>
<th>Environmental Objective</th>
<th>Performance Outcomes</th>
</tr>
</thead>
</table>
| **Air**     | The activity will be operated in a way that protects the environmental values of air. | 1. There is no discharge to air of contaminants that may cause an adverse effect on the environment from the operation of the activity.  
2. All of the following—  
   (a) fugitive emissions of contaminants from storage, handling and processing of materials and transporting materials within the site are prevented or minimised;  
   (b) contingency measures will prevent or minimise adverse effects on the environment from unplanned emissions and shut down and start up emissions of contaminants to air;  
   (c) releases of contaminants to the atmosphere for dispersion will be managed to prevent or minimise adverse effects on environmental values. |
| **Water**   | The activity will be operated in a way that protects environmental values of waters. | Performance Outcomes |
1 There is no actual or potential discharge to waters of contaminants that may cause an adverse effect on an environmental value from the operation of the activity.

2 All of the following—

(a) the storage and handling of contaminants will include effective means of secondary containment to prevent or minimise releases to the environment from spillage or leaks;

(b) contingency measures will prevent or minimise adverse effects on the environment due to unplanned releases or discharges of contaminants to water;

(c) the activity will be managed so that stormwater contaminated by the activity that may cause an adverse effect on an environmental value will not leave the site without prior treatment;

(d) the disturbance of any acid sulfate soil, or potential acid sulfate soil, will be managed to prevent or minimise adverse effects on environmental values;

(e) acid producing rock will be managed to ensure that the production and release of acidic waste is prevented or minimised, including impacts during operation and after the environmental authority has been surrendered;

(f) any discharge to water or a watercourse or wetland will be managed so that there will be no adverse effects due to the altering of existing flow regimes for water or a watercourse or wetland;

(g) for a petroleum activity, the activity will be managed in a way that is consistent with the coal seam gas water management policy, including the prioritisation hierarchy for managing and using coal seam gas water and the prioritisation hierarchy for managing saline waste;

(h) the activity will be managed so that adverse effects on environmental values are prevented or minimised.

Wetlands

Environmental Objective
The activity will be operated in a way that protects the environmental values of wetlands.

**Performance Outcomes**

1. There will be no potential or actual adverse effect on a wetland as part of carrying out the activity.
2. The activity will be managed in a way that prevents or minimises adverse effects on wetlands.

**Groundwater**

**Environmental Objective**

The activity will be operated in a way that protects the environmental values of groundwater and any associated surface ecological systems.

**Performance Outcomes**

1. Both of the following apply—
   (a) there will be no direct or indirect release of contaminants to groundwater from the operation of the activity;
   (b) there will be no actual or potential adverse effect on groundwater from the operation of the activity.
2. The activity will be managed to prevent or minimise adverse effects on groundwater or any associated surface ecological systems.

*Note*—

Some activities involving direct releases to groundwater are prohibited under section 63-41 of this regulation.

**Noise**

**Environmental Objective**

The activity will be operated in a way that protects the environmental values of the acoustic environment.

**Performance Outcomes**

1. Sound from the activity is not audible at a sensitive receptor.
2 The release of sound to the environment from the activity is managed so that adverse effects on environmental values, including health and wellbeing and sensitive ecosystems, are prevented or minimised.

**Waste**

Environmental Objective

Any waste generated, transported, or received as part of carrying out the activity is managed in a way that protects all environmental values.

Performance Outcomes

1 Both of the following apply—

(a) waste generated, transported or received is managed in accordance with the waste and resource management hierarchy in under the Waste Reduction and Recycling Act 2011;

(b) if waste is disposed of, it is disposed of in a way that prevents or minimises adverse effects on environmental values.

**Land**

Environmental Objective

The activity is operated in a way that protects the environmental values of land, including soils, subsoils, landforms and associated flora and fauna.

Performance Outcomes

1 There is no actual or potential disturbance or adverse effect to the environmental values of land as part of carrying out the activity.

2 All of the following apply—

(a) activities that disturb land, soils, subsoils, landforms and associated flora and fauna will be managed in a way that prevents or minimises adverse effects on the environmental values of land;
(b) areas disturbed will be rehabilitated or restored to achieve sites that are:

(i) that are safe to humans and wildlife; and

(ii) non-polluting; and

(iii) stable; and

where no environmental harm is being caused by anything on or in the land; and

(iv) that are able to sustain an appropriate land use after rehabilitation or restoration;

(c) the activity will be managed to prevent or minimise adverse effects on the environmental values of land due to unplanned releases or discharges, including spills and leaks of contaminants;

(d) the application of water or waste to the land is sustainable and is managed to prevent or minimise adverse effects on the composition or structure of soils and subsoils.

Table 2 Land use assessment

<table>
<thead>
<tr>
<th>Site Suitability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Objective</td>
</tr>
<tr>
<td>The choice of the site, at which the activity is to be carried out, minimises serious environmental harm on areas of high conservation value and special significance and sensitive land uses at adjacent places.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Performance Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Both of the following apply—</td>
</tr>
</tbody>
</table>
(a) areas of high conservation value and special significance likely to be affected by the proposal are identified and evaluated and any adverse effects on the areas are minimised, including any edge effects on the areas;

(b) the activity does not have an adverse effect beyond the site.

2 Both of the following apply—

(a) areas of high conservation value and special significance likely to be affected by the proposal are identified and evaluated and any adverse effects on the areas are minimised, including any edge effects on the areas;

(b) critical design requirements will prevent emissions having an irreversible or widespread impact on adjacent areas.

Location on Site

Environmental Objective

The location for the activity on a site protects all environmental values relevant to adjacent sensitive uses.

Performance Outcomes

1 The location for the activity means there will be no adverse effect on any environmental values.

2 Both of the following apply—

(a) the activity, and components of the activity, are carried out on the site in a way that prevents or minimises adverse effects on the use of surrounding land and allows for effective management of the environmental impacts of the activity;

(b) areas used for storing environmentally hazardous materials in bulk are located taking into consideration the likelihood of flooding.

Critical Design Requirements

Environmental Objective

The design of the facility permits the operation of the site, site at which the activity is to be carried out, out to operate in accordance with best practice environmental management.
Performance Outcomes

1 The activity does not involve the storage, production, treatment or release of hazardous contaminants, or involve a regulated structure.

2 All of the following apply—

(a) all storage provided for hazardous contaminants includes secondary containment to prevent or minimise releases to the environment from spillage or leaks;

(b) regulated structures comply with the document ‘Manual for assessing consequence categories and hydraulic performance of structures’ published by the department;

(c) provide containers for the storage of hazardous contaminants that are secured to prevent the removal of the containers from the site by a flood event;

(d) the design of the facility prevents or minimises the production of hazardous contaminants and waste;

(e) if the production of hazardous contaminants and waste is not prevented or minimised under paragraph (d)—the design of the facility contains and treats hazardous contaminants rather than releasing them.
Schedule 714  Regulated waste and waste that is not regulated waste

sections 64.42 and 64A.51 and schedule 12, schedule 19, part 2, definitions attribute table, substance table and threshold table

Part 1  Types of regulated waste and default categorisation

<table>
<thead>
<tr>
<th>Column 1 Type</th>
<th>Column 2 Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. acidic solutions and acids in solid form</td>
<td>2</td>
</tr>
<tr>
<td>2. animal effluent and residues, including abattoir effluent and poultry and fish processing wastes</td>
<td>2</td>
</tr>
<tr>
<td>3. antimony and antimony compounds</td>
<td>1</td>
</tr>
<tr>
<td>4. arsenic and arsenic compounds</td>
<td>1</td>
</tr>
<tr>
<td>5. asbestos</td>
<td>2</td>
</tr>
<tr>
<td>6. barium compounds, other than barium sulfate</td>
<td>1</td>
</tr>
<tr>
<td>7. basic (alkaline) solutions and bases (alkalis) in solid form</td>
<td>2</td>
</tr>
<tr>
<td>8. beryllium and beryllium compounds</td>
<td>1</td>
</tr>
<tr>
<td>9. boron compounds</td>
<td>1</td>
</tr>
<tr>
<td>10. cadmium and cadmium compounds, biosecurity waste</td>
<td>1</td>
</tr>
<tr>
<td>11. chemical waste arising from a research and development or teaching activity, including new or unidentified material and material whose effects on human health or the environment are not known cadmium and cadmium compounds</td>
<td>1</td>
</tr>
<tr>
<td>Column 1</td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Type</strong></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>chlorates</td>
</tr>
<tr>
<td>13</td>
<td>chromium compounds (hexavalent and trivalent)</td>
</tr>
<tr>
<td>14</td>
<td>clinical and related waste</td>
</tr>
<tr>
<td>15</td>
<td>copper compounds</td>
</tr>
<tr>
<td>16</td>
<td>cyanides (inorganic)</td>
</tr>
<tr>
<td>17</td>
<td>cyanides (organic)</td>
</tr>
<tr>
<td>18</td>
<td>encapsulated, chemically-fixed, solidified or polymerised wastes</td>
</tr>
<tr>
<td>19</td>
<td>others</td>
</tr>
<tr>
<td>20</td>
<td>filter cake, other than filter cake waste generated from the treatment of raw water for the supply of drinking water</td>
</tr>
<tr>
<td>21</td>
<td>fire debris and fire washwaters</td>
</tr>
<tr>
<td>22</td>
<td>fluorinated organic compounds (total)</td>
</tr>
<tr>
<td>23</td>
<td>fly-ash</td>
</tr>
<tr>
<td>Column 2</td>
<td></td>
</tr>
<tr>
<td><strong>Category</strong></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
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<td>1</td>
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<td>2</td>
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<td>1</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

*Note: The table entries include descriptions of the types of waste, with a focus on their characteristics and the categories they fall under.*
<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type</strong></td>
<td><strong>Category</strong></td>
</tr>
<tr>
<td>food processing waste (other than liquid food processing waste) fly ash</td>
<td>2</td>
</tr>
<tr>
<td>grease trap waste food processing waste (other than liquid food processing waste)</td>
<td>2</td>
</tr>
<tr>
<td>halogenated organic solvents grease trap waste</td>
<td>4</td>
</tr>
<tr>
<td>highly odorous halogenated organic chemicals, including mercaptans and acrylates solvents</td>
<td>1</td>
</tr>
<tr>
<td>inorganic fluorine compounds, other than calcium fluoride highly odorous organic chemicals, including mercaptans and acrylates</td>
<td>1</td>
</tr>
<tr>
<td>inorganic sulfides inorganic fluorine compounds, other than calcium fluoride</td>
<td>2</td>
</tr>
<tr>
<td>isocyanate compounds inorganic sulfides</td>
<td>4</td>
</tr>
<tr>
<td>lead and lead isocyanate compounds</td>
<td>1</td>
</tr>
<tr>
<td>lead acid batteries (intact) and lead compounds</td>
<td>2</td>
</tr>
<tr>
<td>liquid food processing waste lead acid batteries (intact)</td>
<td>2</td>
</tr>
<tr>
<td>material containing polychlorinated biphenyls (PCBs), polychlorinated napthalenes (PCNs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs) liquid food processing waste</td>
<td>4</td>
</tr>
<tr>
<td>mercury and mercury compounds material containing polychlorinated biphenyls (PCBs), polychlorinated napthalenes (PCNs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs)</td>
<td>1</td>
</tr>
<tr>
<td>Column 1</td>
<td>Column 2</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
</tr>
<tr>
<td>Type</td>
<td>Category</td>
</tr>
<tr>
<td>36 metal carbonyls mercury and mercury compounds</td>
<td>1</td>
</tr>
<tr>
<td>37 mineral oils metal carbonyls</td>
<td>2</td>
</tr>
<tr>
<td>38 nickel compounds mineral oils</td>
<td>2</td>
</tr>
<tr>
<td>39 non-toxic salts, including, for example, saline effluent nickel compounds</td>
<td>2</td>
</tr>
<tr>
<td>40 oil and water mixtures or emulsions, or hydrocarbons and water mixtures or emulsions non-toxic salts, including, for example, saline effluent</td>
<td>2</td>
</tr>
<tr>
<td>41 organic phosphorous compounds oil and water mixtures or emulsions, or hydrocarbons and water mixtures or emulsions</td>
<td>2</td>
</tr>
<tr>
<td>42 organic solvents, other than halogenated solvents, including, for example, ethanol organic phosphorous compounds</td>
<td>1</td>
</tr>
<tr>
<td>43 organohalogen compounds, other than another substance stated in this schedule organic solvents, other than halogenated solvents, including, for example, ethanol</td>
<td>1</td>
</tr>
<tr>
<td>44 oxidising agents organohalogen compounds, other than another substance stated in this schedule</td>
<td>1</td>
</tr>
<tr>
<td>45 per-and-poly-fluoroalkyl substances oxidising agents</td>
<td>1</td>
</tr>
<tr>
<td>46 perchlorates per-and-poly-fluoroalkyl substances</td>
<td>1</td>
</tr>
<tr>
<td>47 pesticides, including organochlorine perchlorates</td>
<td>1</td>
</tr>
<tr>
<td>48 pharmaceuticals pesticides, drugs and medicines, including organochlorine</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Column 1</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>49</td>
<td>phenols and phenol compounds, including chlorophenols, pharmaceuticals, drugs and medicines</td>
</tr>
<tr>
<td>50</td>
<td>phosphorus compounds, other than mineral phosphates, phenols and phenol compounds, including chlorophenols</td>
</tr>
<tr>
<td>51</td>
<td>polychlorinated dibenzo-furan (any congener), phosphorus compounds, other than mineral phosphates</td>
</tr>
<tr>
<td>52</td>
<td>polychlorinated dibeno-p-dioxin-furan (any congener)</td>
</tr>
<tr>
<td>53</td>
<td>quarantine waste, polychlorinated dibeno-p-dioxin (any congener)</td>
</tr>
<tr>
<td>54</td>
<td>residues from industrial waste treatment or disposal operations</td>
</tr>
<tr>
<td>55</td>
<td>selenium and selenium compounds</td>
</tr>
<tr>
<td>56</td>
<td>sewage sludge and residues, including nightsoil and septic tank sludge</td>
</tr>
<tr>
<td>57</td>
<td>surface active agents (surfactants) containing principally organic constituents, whether or not also containing metals and other inorganic materials</td>
</tr>
<tr>
<td>58</td>
<td>tannery wastes, including leather dust, ash, sludges and flours</td>
</tr>
<tr>
<td>59</td>
<td>tarry residues arising from refining, distillation or any pyrolytic treatment</td>
</tr>
<tr>
<td>60</td>
<td>tellurium and tellurium compounds</td>
</tr>
<tr>
<td>61</td>
<td>thallium and thallium compounds</td>
</tr>
<tr>
<td>62</td>
<td>triethylamine catalysts for setting foundry sands</td>
</tr>
<tr>
<td>63</td>
<td>tyres</td>
</tr>
<tr>
<td>64</td>
<td>vanadium compounds</td>
</tr>
<tr>
<td>65</td>
<td>vegetable oils</td>
</tr>
<tr>
<td>66</td>
<td>waste containing peroxides other than hydrogen peroxide</td>
</tr>
</tbody>
</table>
Part 2  Categorisation thresholds for solid tested waste

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2 Threshold (mg/kg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Substance</td>
<td></td>
</tr>
<tr>
<td>1  aldrin and dieldrin (total)</td>
<td>40</td>
</tr>
<tr>
<td>Column 1 Substance</td>
<td>Column 2 Threshold (mg/kg)</td>
</tr>
<tr>
<td>--------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>antimony</td>
<td>36</td>
</tr>
<tr>
<td>arsenic</td>
<td>1,200</td>
</tr>
<tr>
<td>barium</td>
<td>18,000</td>
</tr>
<tr>
<td>benzene</td>
<td>20</td>
</tr>
<tr>
<td>benzo(a)pyrene</td>
<td>12</td>
</tr>
<tr>
<td>beryllium</td>
<td>360</td>
</tr>
<tr>
<td>boron</td>
<td>80,000</td>
</tr>
<tr>
<td>cadmium</td>
<td>360</td>
</tr>
<tr>
<td>carbon tetrachloride</td>
<td>8</td>
</tr>
<tr>
<td>chlorobenzene</td>
<td>336</td>
</tr>
<tr>
<td>chloroform</td>
<td>4</td>
</tr>
<tr>
<td>chromium (hexavalent)</td>
<td>1,200</td>
</tr>
<tr>
<td>copper</td>
<td>880</td>
</tr>
<tr>
<td>cresol (total)</td>
<td>16,000</td>
</tr>
<tr>
<td>cyanide</td>
<td>960</td>
</tr>
<tr>
<td>dichlorobenzene (1,2-dichlorobenzene)</td>
<td>2,160</td>
</tr>
<tr>
<td>dichlorobenzene (1,4-dichlorobenzene)</td>
<td>32</td>
</tr>
<tr>
<td>dichloroethane (1,2-dichloroethane)</td>
<td>6</td>
</tr>
<tr>
<td>dichloroethylene (1,1-dichloroethylene)</td>
<td>276</td>
</tr>
<tr>
<td>dichloromethane (methylene chloride)</td>
<td>420</td>
</tr>
<tr>
<td>dichlorophenoxyacetic acid (2,4-dichlorophenoxyacetic acid)</td>
<td>840</td>
</tr>
<tr>
<td>dieldrin and aldrin (total)</td>
<td>40</td>
</tr>
<tr>
<td>dinitrotoluene (2,4-dinitrotoluene)</td>
<td>20</td>
</tr>
<tr>
<td>ethylbenzene</td>
<td>68</td>
</tr>
<tr>
<td>fluoride</td>
<td>3,720</td>
</tr>
<tr>
<td>Column 1 Substance</td>
<td>Column 2 Threshold (mg/kg)</td>
</tr>
<tr>
<td>-------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>27 lead</td>
<td>1,200</td>
</tr>
<tr>
<td>28 mercury</td>
<td>320</td>
</tr>
<tr>
<td>29 methyl ethyl ketone</td>
<td>32,400</td>
</tr>
<tr>
<td>30 molybdenum</td>
<td>468</td>
</tr>
<tr>
<td>31 nickel</td>
<td>4,800</td>
</tr>
<tr>
<td>32 nitrobenzene</td>
<td>60</td>
</tr>
<tr>
<td>33 organochlorine pesticides (total)</td>
<td>200</td>
</tr>
<tr>
<td>34 organophosphate pesticides (total)</td>
<td>1,000</td>
</tr>
<tr>
<td>35 per- and poly-fluoroalkyl substances (PFAS)</td>
<td>0</td>
</tr>
<tr>
<td>36 persistent organic pollutant (other)</td>
<td>200</td>
</tr>
<tr>
<td>37 petroleum hydrocarbons (C6 to C9)</td>
<td>3,800</td>
</tr>
<tr>
<td>38 petroleum hydrocarbons (C10 to C36)</td>
<td>21,200</td>
</tr>
<tr>
<td>39 phenols (total)</td>
<td>160,000</td>
</tr>
<tr>
<td>40 polychlorinated biphenyls (PCBs)</td>
<td>50</td>
</tr>
<tr>
<td>41 polycyclic aromatic hydrocarbons (total)</td>
<td>1,200</td>
</tr>
<tr>
<td>42 selenium</td>
<td>2,800</td>
</tr>
<tr>
<td>43 styrene (vinyl benzene)</td>
<td>7,200</td>
</tr>
<tr>
<td>44 silver</td>
<td>468</td>
</tr>
<tr>
<td>45 tetrachloroethane (1,1,1,2-tetrachloroethane)</td>
<td>24</td>
</tr>
<tr>
<td>46 tetrachloroethane (1,1,2,2-tetrachloroethane)</td>
<td>24</td>
</tr>
<tr>
<td>47 tetrachloroethylene</td>
<td>96</td>
</tr>
<tr>
<td>48 trichloroethane (1,1,1-trichloroethane)</td>
<td>9,720</td>
</tr>
<tr>
<td>49 trichloroethane (1,1,2-trichloroethane)</td>
<td>1.8</td>
</tr>
<tr>
<td>50 trichloroethylene</td>
<td>5</td>
</tr>
<tr>
<td>51 trichlorophenol (2,4,5-trichlorophenol)</td>
<td>7,560</td>
</tr>
</tbody>
</table>
Part 3 Waste that is not regulated waste

Division 1 Types of waste

- 1 intact or partly disassembled televisions

- 2 intact or partly disassembled electronic equipment designed to be used with a television
  
  Examples—video players, DVD players, games units, gaming consoles, set-top boxes

- 3 intact or partly disassembled computers
  
  Examples—desktop computers, notebook computers, laptop computers, tablets

- 4 intact or partly disassembled equipment designed to be used with computers
  
  Examples—keyboards, mouses, hard drives, scanners, printers, multi-function devices, speakers, web cameras

- 5 intact or partly disassembled internal computer components
Examples—
network or graphics cards, motherboards, optical drives

-6 intact or partly disassembled automotive equipment

Examples—
vehicles, engines, transmissions, differentials

-7 mobile phones

-8 mobile phone accessories

Example—
mobile phone chargers

-9 batteries typically used in small electronic devices or handheld devices

Examples of handheld devices—
mobile phones, digital cameras, keyboards, toys and torches

-10 whitegoods

-11 treated timber, other than sawdust or shavings

-12 groundwater or treated groundwater necessarily or unavoidably brought to the surface of the earth as part of an industrial process, if the groundwater—
(a) has a pH of at least 6 but not more than 10.5; and
(b) has an electrical conductivity of less than 15,000µS/cm

-13 waste architectural and decorative paints collected, stored and transported in accordance with a product stewardship, unless the paint—
• is a bagged render
• is texture coating
• contains isocyanates
• is paint stripper
• is an industrial paint
• is anti-fouling paint

-14 containers of waste architectural and decorative paints mentioned in item 13 that are collected, stored and transported
in accordance with a product stewardship, unless the paint is in a spray pack

-15 tallow
-16 treated clinical waste
-17 related waste that has been treated to render it non-infectious

Division 2

Non-regulated thresholds for tested waste

Table 1—Attribute table

<table>
<thead>
<tr>
<th>Column 1 Attribute</th>
<th>Column 2 Solid waste requirement</th>
<th>Column 3 Liquid waste requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 pH</td>
<td>from pH 6.5 to pH 9</td>
<td>from pH 6.5 to pH 10.5</td>
</tr>
<tr>
<td>2 conductivity (electrical)</td>
<td>-</td>
<td>less than 1,200µS</td>
</tr>
<tr>
<td>3 biological oxygen demand</td>
<td>-</td>
<td>less than 15mg/L</td>
</tr>
<tr>
<td>4 flashpoint, for waste that is less than 24% alcohol (v/v)</td>
<td>-</td>
<td>less than 60°C</td>
</tr>
<tr>
<td>5 peroxides (other than hydrogen peroxide) more than 0.01% (v/v)</td>
<td>-</td>
<td>not present</td>
</tr>
<tr>
<td>6 asbestos more than 0.01% (w/w)</td>
<td>not present</td>
<td>not present</td>
</tr>
</tbody>
</table>

Table 2—Substance table

<table>
<thead>
<tr>
<th>Column 1 Substance</th>
<th>Column 2 Solid waste threshold (mg/kg)</th>
<th>Column 3 Liquid waste threshold (µg/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Aldrin and dieldrin (total)</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>2 Antimony</td>
<td>9</td>
<td>60</td>
</tr>
<tr>
<td>3 Arsenic</td>
<td>300</td>
<td>200</td>
</tr>
</tbody>
</table>
Table 2—Substance table

<table>
<thead>
<tr>
<th>Column 1 Substance</th>
<th>Column 2 Solid waste threshold (mg/kg)</th>
<th>Column 3 Liquid waste threshold (µg/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 barium</td>
<td>4,500</td>
<td>40,000</td>
</tr>
<tr>
<td>5 benzene</td>
<td>5</td>
<td>20</td>
</tr>
<tr>
<td>6 benzo(a)pyrene</td>
<td>3</td>
<td>0.2</td>
</tr>
<tr>
<td>7 beryllium</td>
<td>90</td>
<td>1,200</td>
</tr>
<tr>
<td>8 boron</td>
<td>20,000</td>
<td>3,700</td>
</tr>
<tr>
<td>9 cadmium</td>
<td>90</td>
<td>2</td>
</tr>
<tr>
<td>10 carbon tetrachloride</td>
<td>2</td>
<td>60</td>
</tr>
<tr>
<td>11 chlorobenzene</td>
<td>84</td>
<td>6,000</td>
</tr>
<tr>
<td>12 chloroform</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>13 chromium (hexavalent)</td>
<td>300</td>
<td>10</td>
</tr>
<tr>
<td>14 copper</td>
<td>220</td>
<td>14</td>
</tr>
<tr>
<td>15 cresol (total)</td>
<td>4,000</td>
<td>3,000</td>
</tr>
<tr>
<td>16 cyanide</td>
<td>240</td>
<td>70</td>
</tr>
<tr>
<td>17 dichlorobenzene (1,2-dichlorobenzene)</td>
<td>540</td>
<td>30,000</td>
</tr>
<tr>
<td>18 dichlorobenzene (1,4-dichlorobenzene)</td>
<td>8</td>
<td>800</td>
</tr>
<tr>
<td>19 dichloroethane (1,2-dichloroethane)</td>
<td>1</td>
<td>60</td>
</tr>
<tr>
<td>20 dichloroethylene (1,1-dichloroethylene)</td>
<td>69</td>
<td>500</td>
</tr>
<tr>
<td>21 dichloromethane (methylene chloride)</td>
<td>105</td>
<td>220</td>
</tr>
<tr>
<td>22 dichlorophenoxyacetic acid (2,4-dichlorophenoxyacetic acid)</td>
<td>210</td>
<td>600</td>
</tr>
<tr>
<td>23 dieldrin and aldrin (total)</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>24 dinitrotoluene (2,4-dinitrotoluene)</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>25 ethylbenzene</td>
<td>17</td>
<td>6,000</td>
</tr>
</tbody>
</table>
### Table 2—Substance table

<table>
<thead>
<tr>
<th>Substance</th>
<th>Column 2 Solid waste threshold (mg/kg)</th>
<th>Column 3 Liquid waste threshold (µg/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>fluoride</td>
<td>930</td>
<td>30,000</td>
</tr>
<tr>
<td>lead</td>
<td>300</td>
<td>34</td>
</tr>
<tr>
<td>mercury</td>
<td>80</td>
<td>6</td>
</tr>
<tr>
<td>methyl ethyl ketone</td>
<td>8,100</td>
<td>11,200</td>
</tr>
<tr>
<td>molybdenum</td>
<td>117</td>
<td>1,000</td>
</tr>
<tr>
<td>nickel</td>
<td>1,200</td>
<td>110</td>
</tr>
<tr>
<td>nitrobenzene</td>
<td>15</td>
<td>3</td>
</tr>
<tr>
<td>organochlorine pesticides (total)</td>
<td>50</td>
<td>0.00011</td>
</tr>
<tr>
<td>organophosphate pesticides (total)</td>
<td>250</td>
<td>0.035</td>
</tr>
<tr>
<td>per- and poly-fluoroalkyl substances (PFAS)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>persistent organic pollutant (other)</td>
<td>50</td>
<td>0</td>
</tr>
<tr>
<td>petroleum hydrocarbons (C6 to C9)</td>
<td>950</td>
<td>-</td>
</tr>
<tr>
<td>petroleum hydrocarbons (C10 to C36)</td>
<td>5,300</td>
<td>-</td>
</tr>
<tr>
<td>petroleum hydrocarbons (total)</td>
<td>-</td>
<td>6,000</td>
</tr>
<tr>
<td>phenols (total)</td>
<td>40,000</td>
<td>11,600</td>
</tr>
<tr>
<td>polychlorinated biphenyls (PCBs)</td>
<td>2</td>
<td>0.00074</td>
</tr>
<tr>
<td>polycyclic aromatic hydrocarbons (total)</td>
<td>300</td>
<td>0.2</td>
</tr>
<tr>
<td>selenium</td>
<td>700</td>
<td>110</td>
</tr>
<tr>
<td>styrene (vinyl benzene)</td>
<td>1,800</td>
<td>600</td>
</tr>
<tr>
<td>silver</td>
<td>117</td>
<td>1</td>
</tr>
<tr>
<td>tetrachloroethane (1,1,1,2-tetrachloroethane)</td>
<td>6</td>
<td>11</td>
</tr>
</tbody>
</table>
### Table 2—Substance table

<table>
<thead>
<tr>
<th>Substance</th>
<th>Solid waste threshold (mg/kg)</th>
<th>Liquid waste threshold (µg/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>47 tetrachloroethane (1,1,2,2-tetrachloroethane)</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>48 tetrachloroethylene</td>
<td>24</td>
<td>82</td>
</tr>
<tr>
<td>49 trichloroethane (1,1,1-trichloroethane)</td>
<td>2,430</td>
<td>16,000</td>
</tr>
<tr>
<td>50 trichloroethane (1,1,2-trichloroethane)</td>
<td>0.45</td>
<td>0.82</td>
</tr>
<tr>
<td>51 trichloroethylene</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>52 trichlorophenol (2,4,5-trichlorophenol)</td>
<td>1,890</td>
<td>2,400</td>
</tr>
<tr>
<td>53 trichlorophenol (2,4,6-trichlorophenol)</td>
<td>19</td>
<td>200</td>
</tr>
<tr>
<td>54 toluene</td>
<td>1,470</td>
<td>16,000</td>
</tr>
<tr>
<td>55 vanadium</td>
<td>117</td>
<td>172</td>
</tr>
<tr>
<td>56 vinyl chloride</td>
<td>0.18</td>
<td>6</td>
</tr>
<tr>
<td>57 xylenes (total)</td>
<td>174</td>
<td>12,000</td>
</tr>
<tr>
<td>58 zinc</td>
<td>400</td>
<td>30</td>
</tr>
</tbody>
</table>
Schedule 815  Prescribed organisations

section 415A151

Australasian Radiation Protection Society
Australian Institute of Agricultural Science and Technology
Australian Institute of Geoscientists
Australian Society of Soil Science
Engineers Australia
Environmental Health Australia
Environment Institute of Australia and New Zealand
Institute of Explosives Engineers
Institution of Chemical Engineers Australia
Institution of Engineering and Mining Surveyors Australia
Chemical Engineers
Planning Institute of Australia
South Pacific Environmental Radioactivity Association
Surveying and Spatial Sciences Institute
The Australasian Institute of Mining and Metallurgy
The Institution of Surveyors Australia
The Royal Australian Chemical Institute
Schedule 8A16 Other local governments

section 404-133(2), definition prescribed local government

Balonne Shire Council
Barcaldine Regional Council
Barcoo Shire Council
Bulloo Shire Council
Carpentaria Shire Council
Central Highlands Regional Council
Charters Towers Regional Council
Cook Shire Council
Croydon Shire Council
Diamantina Shire Council
Gympie Regional Council
Hinchinbrook Shire Council
Lockyer Valley Regional Council
Longreach Regional Council
Mareeba Shire Council
Murweh Shire Council
Scenic Rim Regional Council
Tablelands Regional Council
Winton Shire Council
Schedule 917  Prescribed water contaminants

section 7765

1 a chemical, or chemical waste containing a chemical

   Examples—
   • biocide, including herbicide, fungicide and pesticide
   • chemical that causes biochemical or chemical oxygen demand
   • chemical toxicant for which guidelines are prescribed in the document ‘Australian and New Zealand guidelines for fresh and marine water quality’
   • degreasing agent
     per and poly-fluoroalkyl substances (PFAS), perfluorooctanoic acid (PFOA), perfluoroctane sulfonate (PFOS) and perfluorohexane sulfonate (PFHxS)

2 a gas other than oxygen

3 a liquid containing suspended or dissolved solids

4 a liquid that has a temperature different by more than 2ºC from ambient water temperature

5 animal matter, including dead animals, animal remains and animal excreta, and water used to clean animals, animal enclosures or vehicles used for transporting animals

6 ashes, clay, gravel, sediment, stones and similar organic or inorganic matter

7 a substance that has a pH outside the range 6.5 to 8.5

8 building and construction materials, including bitumen, brick, cement, concrete and plaster

   Examples—
   • cement washed to create exposed aggregate treatment
   • coloured powder used to create stencilled concrete features

9 building, construction and demolition waste, including bitumen, brick, concrete cuttings, plaster and waste water generated by building, construction or demolition
10 clinical waste
11 glass, metal parts, paper, piping, plastic and scrap metal
12 industrial waste
13 oil, including, for example, petroleum or vegetable based oil
14 paint, paint scrapings or residues, paint sludge, water used for diluting paint or washing painting utensils, and waste from paint stripping
15 plant matter, including, for example, bark, lawn clippings, leaves, mulch, pruning waste, sawdust, shavings, woodchip and other waste from forest products
16 putrescible waste, including, for example, food scraps
17 regulated waste mentioned in schedule 14, part 1, column 1 as a prescribed water contaminant
18 sewage and sewage residues, whether treated or untreated, and any other matter containing faecal coliforms or faecal streptococci, including, for example, waste water pumped out from a septic tank
19 vehicles and components of vehicles, including, for example, batteries and tyres
20 waste and waste water, generated from outdoor cleaning, including, for example, waste generated from high pressure water blasting of commercial or industrial premises, fuel dispensing areas, plant or equipment, roofs, streets, vehicles—upholstery cleaning—and wharves—steam cleaning
21 waste and waste water, generated from outdoor cleaning, including, for example, waste generated from high pressure water blasting of commercial or industrial premises, fuel dispensing areas, plant or equipment, roofs, streets, vehicles and wharves
waste generated from repairing or servicing motor vehicles, including, for example, engine coolant, grease, lubricants and oil

waste water, including backwash from swimming pools, condensate from compressors, water from air-conditioning or cooling systems and waste water from grease traps
## Schedule 10\textsuperscript{18} Fees

section 446\textsuperscript{154}

**Note**—

See also chapter 8, chapter 9 for other fees payable under the Act.

### Part 1 Fees for environmental impact statements

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>submitting draft terms of reference for an EIS (Act, s 41(2)(b))</td>
<td>$39,539.00</td>
</tr>
<tr>
<td>2</td>
<td>submitting an EIS (Act, s 47(2))</td>
<td>$194,939.00</td>
</tr>
<tr>
<td>3</td>
<td>giving an EIS amendment notice, other than an EIS amendment notice given under section 56(2)(c)(d) of the Act (Act, s 66(4))</td>
<td>$13,177.00</td>
</tr>
<tr>
<td>4</td>
<td>application for approval to voluntarily prepare an EIS (Act, s 71(d)(ii))</td>
<td>$674.00</td>
</tr>
</tbody>
</table>

### Part 2 Fees for environmental authorities

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 51 | application for environmental authority, other than an environmental authority for a mining activity that is an eligible ERA and relates to a mining claim (Act, s 125(1)(e))—  
(a) for a standard application | $652.00 |
(b) for a site-specific application or variation application 652.00 plus 30% of the annual fee for the authority that is the subject of the application

62 change of application for environmental authority, other than a minor change or a change agreed to by the administering authority (Act, s 132(1)(b)) 339.00

73 amendment application (Act, s 226(1)(c))—
   (a) for an amendment of an environmental authority 327.60
   (b) for an amendment of a PRCP schedule 327.60
   (c) for an amendment of an environmental authority and the PRCP schedule to which the authority relates 327.60

7A.4 assessment fee for amendment application (Act, s 228(4))—
   (a) for amendment of an environmental authority 30% of the annual fee for the authority the subject of the application
   (b) for an amendment of an environmental authority and the PRCP schedule to which the authority relates 30% of the annual fee for the authority the subject of the application
Part 3 Other fees

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>85</td>
<td>Change of amendment application for environmental authority (Act, s 236(b))</td>
<td>339.00</td>
</tr>
<tr>
<td>96</td>
<td>Amalgamation application (Act, s 246(e))</td>
<td>339.00</td>
</tr>
<tr>
<td>107</td>
<td>Transfer application for environmental authority for a prescribed ERA (Act, s 253(f))</td>
<td>135.40</td>
</tr>
<tr>
<td>118</td>
<td>Conversion application (Act, s 696(b))</td>
<td>339.00</td>
</tr>
<tr>
<td></td>
<td>Late payment of an annual fee for environmental authority</td>
<td>135.40</td>
</tr>
<tr>
<td>432</td>
<td>Application for a temporary emissions licence (Act, s 357B(5))</td>
<td>2,611.00</td>
</tr>
<tr>
<td>443</td>
<td>Obtaining an extract from the environmental management register or contaminated land register (Act, s 542(3)), for each lot to which the extract relates—</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) If the extract is obtained using the internet</td>
<td>51.00</td>
</tr>
<tr>
<td></td>
<td>(b) Otherwise</td>
<td>59.90</td>
</tr>
<tr>
<td>454</td>
<td>Application for approval as an auditor (Act, s 570(c))</td>
<td>1,351.00</td>
</tr>
</tbody>
</table>

(c) For an amendment of only the PRCP schedule to which an environmental authority relates, 30% of the annual fee for the authority to which the PRCP schedule relates the subject of the application relates.
Schedule 1219 Dictionary

Part 1 Extended definitions

1 Meaning of category A environmentally sensitive area

A category A environmentally sensitive area means any of the following—

(a) any of the following under the Nature Conservation Act 1992—

(i) a national park (scientific);

(ii) a national park;

(iii) a national park (Aboriginal land);

(iv) a national park (Torres Strait Islander land);

(v) a national park (Cape York Peninsula Aboriginal land);

(vi) a conservation park;

(vii) a forest reserve;

(b) the wet tropics area under the Wet Tropics World Heritage Protection and Management Act 1993;

(c) the Great Barrier Reef Region under the Great Barrier Reef Marine Park Act 1975 (Cwlth);

(d) a marine park under the Marine Parks Act 2004, other than a part of the park that is a general use zone under that Act.

2 Meaning of category B environmentally sensitive area

A category B environmentally sensitive area means any of the following—
(a) any of the following areas under the *Nature Conservation Act 1992*—
   (i) a coordinated conservation area;
   (ii) an area of critical habitat or major interest identified under a conservation plan;
   (iii) an area subject to an interim conservation order;

(b) an area subject to the following conventions to which Australia is a signatory—
   (i) the ‘Convention on the Conservation of Migratory Species of Wild Animals’ (Bonn, 23 June 1979);
   (ii) the ‘Convention on Wetlands of International Importance, especially as Waterfowl Habitat’ (Ramsar, Iran, 2 February 1971);
   (iii) the ‘Convention Concerning the Protection of the World Cultural and Natural Heritage’ (Paris, 23 November 1972);

(c) a zone of a marine park under the *Marine Parks Act 2004*;

   a zone of a marine park under the *Marine Parks Act 2004* that is within a general use zone of the marine park under that Act;

(d) an area to the seaward side of the highest astronomical tide;

(e) the following under the *Queensland Heritage Act 1992*—
   (i) a place of cultural heritage significance;
   (ii) a Queensland heritage place, unless there is an exemption certificate issued under that Act;

(f) an area recorded in the Aboriginal Cultural Heritage Register established under the *Aboriginal Cultural Heritage Act 2003*, section 46, other than the area known as the ‘Stanbroke Pastoral Development Holding’, leased under the *Land Act 1994* by lease number PH 13/5398;
(g) a feature protection area, State forest park or scientific area under the *Forestry Act 1959*;

(h) a declared fish habitat area under the *Fisheries Act 1994*;

(i) a place in which a marine plant under the *Fisheries Act 1994* is situated;

(j) an endangered regional ecosystem identified in the database known as the ‘Regional ecosystem description database’ kept by *published on* the department’s website.

*Editor’s note*—

The Regional ecosystem description database is available for inspection—

(a) *Note*—

The Regional ecosystem description database is also available for inspection during office hours, at the Queensland Herbarium, Brisbane Botanic Gardens, Mt Coot-tha Road, Toowong and each regional office of the department, and

(b) on the department’s website.

3 **Meaning and calculation of equivalent passenger unit**

(1) An **equivalent passenger unit** is a unit of measurement based on the mass of a quantity of tyres, or parts of tyres.

(2) For a quantity of tyres, or parts of tyres, each 9.5kg of the tyres or parts is equivalent to 1 equivalent passenger unit.

3A **Meaning of organochlorine pesticide**

Each of the following is an **organochlorine pesticide**—

- aldrin
- chlordane
- dichlorodiphenyldichloroethane
- dichlorodiphenyldichloroethylene
- dichlorodiphenyltrichloroethane
- dieldrin
• endrin
• endrin aldehyde
• heptachlor
• heptachlor epoxide
• hexachlorobenzene
• α-hexachlorocyclohexane
• β-hexachlorocyclohexane
• δ-hexachlorocyclohexane
• γ-hexachlorocyclohexane (lindane)
• methoxychlor
• endosulfan I
• endosulfan II
• endosulfan sulphate.

<table>
<thead>
<tr>
<th>3B4</th>
<th><strong>Meaning of organophosphate pesticide</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Each of the following is an <em>organophosphate pesticide</em>—</td>
</tr>
<tr>
<td></td>
<td>• acephate</td>
</tr>
<tr>
<td></td>
<td>• azamethiphos</td>
</tr>
<tr>
<td></td>
<td>• azinphos-methyl</td>
</tr>
<tr>
<td></td>
<td>• cadusafos</td>
</tr>
<tr>
<td></td>
<td>• carbofuran</td>
</tr>
<tr>
<td></td>
<td>• chlorfenviphos</td>
</tr>
<tr>
<td></td>
<td>• chlorpyrifos</td>
</tr>
<tr>
<td></td>
<td>• chlorpyrifos-methyl</td>
</tr>
<tr>
<td></td>
<td>• coumaphos</td>
</tr>
<tr>
<td></td>
<td>• cythioate</td>
</tr>
<tr>
<td></td>
<td>• diazinon</td>
</tr>
<tr>
<td></td>
<td>• dichlorvos</td>
</tr>
</tbody>
</table>
Schedule 1219

- dimethoate
- disulfoton
- ethion
- fenamiphos
- fenitrothion
- fenthion
- maldison (malathion)
- methamidophos
- methidathion
- mevinphos
- naled
- naphthalophos
- omethoate
- oxydemeton-methyl
- parathion
- parathion-methyl
- phorate
- phosmet
- pirimiphos-methyl
- profenofos
- propetamphos
- prothiofos
- temephos
- terbufos
- tetrachlorvinphos
- thiometon
- trichlorfon.
Meaning of persistent organic pollutant (other)

Each of the following is a persistent organic pollutant (other)—

- chlordecone
- dioxins
- furans
- heptabromodiphenyl ether
- hexabromobiphenyl
- hexabromodiphenyl ether
- mirex
- pentabromodiphenyl ether
- pentachlorobenzene
- perfluorooctane sulfonic acid and its salts
- perfluorooctane sulfonyle fluoride (PFOS)
- tetrabromodiphenyl ether
- toxaphene.

Meaning of polycyclic aromatic hydrocarbon

Each of the following is a polycyclic aromatic hydrocarbon—

- acenaphthene
- acenaphthylene
- anthracene
- benzo(a)anthracene
- benzo(a)pyrene
- benzo(b)fluoranthene
- benzo(ghi)perylene
- benzo(k)fluoranthene
- chrysene
dibenzo(ah)anthracene
fluorene
fluoranthene
indeno(1,2,3-cd)pyrene
naphthalene
phenanthrene
pyrene.

47 Meaning and calculation of significantly disturbed land

standard cattle unit

(1) Land is significantly disturbed if—

(a) it is contaminated land; or

(b) it has been disturbed and human intervention is needed to rehabilitate it—

(i) to a condition required under the relevant environmental authority; or

(ii) if the environmental authority does not require the land to be rehabilitated to a particular condition—to the condition it was in immediately before the disturbance.

Examples of a disturbance to land—

- the covering, compaction, exposure, removal or stockpiling of soil or other material
- the destruction or removal of vegetation
- the carrying out of a mining activity in a watercourse or wetland
- the submergence of an area with a hazardous contaminant, tailings, or water

(2) Without limiting subsection (1)(b), land requires human intervention to rehabilitate it if—

(a) the disturbance has made the land more susceptible to erosion; or
(b) the land use capability or suitability of the land is diminished; or
(c) the quality of water in a watercourse downstream of the land has been significantly reduced.

(3) If land is significantly disturbed land because it is contaminated land, it ceases to be significantly disturbed land if a suitability statement is issued for the land.

(4) If land is significantly disturbed land under subsection (1)(b), it ceases to be significantly disturbed land if the administering authority is satisfied the land has been rehabilitated—
(a) to the condition it was in immediately before the disturbance; or
(b) to another condition decided by the administering authority.

5 Meaning and calculation of standard cattle unit

(1) A **standard cattle unit** is a unit of measurement based on the live weight of cattle.

(2) The number of **standard cattle units** that is equivalent to an animal of a live weight mentioned in column 1 of the following table is stated opposite in column 2.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live weight (kg)</td>
<td>Number of standard cattle units</td>
</tr>
<tr>
<td>up to 350</td>
<td>0.67</td>
</tr>
<tr>
<td>more than 350 to 400</td>
<td>0.74</td>
</tr>
<tr>
<td>more than 400 to 450</td>
<td>0.81</td>
</tr>
<tr>
<td>more than 450 to 500</td>
<td>0.87</td>
</tr>
<tr>
<td>more than 500 to 550</td>
<td>0.94</td>
</tr>
<tr>
<td>more than 550 to 600</td>
<td>1.00</td>
</tr>
<tr>
<td>more than 600 to 650</td>
<td>1.06</td>
</tr>
</tbody>
</table>
68 Meaning and calculation of standard pig unit

(1) A standard pig unit is a unit of measurement based on types, or a combination of types and live weight, of pigs.

(2) In the following table, the number of standard pig units that is equivalent to an animal of a type mentioned in column 1 is stated opposite in column 2.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of pig</td>
<td>Number of standard pig units</td>
</tr>
<tr>
<td>boar</td>
<td>1.6</td>
</tr>
<tr>
<td>gestating sow</td>
<td>1.6</td>
</tr>
<tr>
<td>gilt</td>
<td>1.8</td>
</tr>
<tr>
<td>lactating sow</td>
<td>2.5</td>
</tr>
</tbody>
</table>

(3) In the following table, the number of standard pig units that is equivalent to an animal of a type mentioned in column 1 and a live weight mentioned opposite in column 2, is stated opposite the live weight in column 3.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of pig</td>
<td>Live weight (kg)</td>
<td>Number of standard pig units</td>
</tr>
<tr>
<td>sucker</td>
<td>1.4 to 8</td>
<td>0.1</td>
</tr>
<tr>
<td>weaner</td>
<td>more than 8 to 25</td>
<td>0.5</td>
</tr>
<tr>
<td>grower</td>
<td>more than 25 to 55</td>
<td>1.0</td>
</tr>
<tr>
<td>finisher</td>
<td>more than 55 to 100</td>
<td>1.6</td>
</tr>
</tbody>
</table>
Meaning and calculation of *standard sheep unit*

(1) A *standard sheep unit* is a unit of measurement based on the live weight of sheep.

(2) The number of *standard sheep units* that is equivalent to an animal of a live weight mentioned in column 1 of the following table is stated opposite in column 2.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of pig</td>
<td>Live weight (kg)</td>
<td>Number of standard pig units</td>
</tr>
<tr>
<td>finisher</td>
<td>more than 100</td>
<td>1.8</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live weight (kg)</td>
<td>Number of standard sheep units</td>
</tr>
<tr>
<td>up to 25</td>
<td>0.519</td>
</tr>
<tr>
<td>more than 25 to 30</td>
<td>0.595</td>
</tr>
<tr>
<td>more than 30 to 35</td>
<td>0.667</td>
</tr>
<tr>
<td>more than 35 to 40</td>
<td>0.738</td>
</tr>
<tr>
<td>more than 40 to 45</td>
<td>0.806</td>
</tr>
<tr>
<td>more than 45 to 50</td>
<td>0.872</td>
</tr>
<tr>
<td>more than 50 to 55</td>
<td>0.937</td>
</tr>
<tr>
<td>more than 55 to 60</td>
<td>1.000</td>
</tr>
<tr>
<td>more than 60 to 65</td>
<td>1.062</td>
</tr>
<tr>
<td>more than 65 to 70</td>
<td>1.123</td>
</tr>
<tr>
<td>more than 70 to 75</td>
<td>1.182</td>
</tr>
<tr>
<td>more than 75</td>
<td>1.241</td>
</tr>
</tbody>
</table>
Meaning of watercourse

(1) A watercourse is a river, creek or stream in which water flows permanently or intermittently—

(a) in a natural channel, whether artificially improved or not; or

(b) in an artificial channel that has changed the course of the watercourse.

(2) A watercourse includes the bed and banks and any other element of a river, creek or stream confining or containing water.

Part 2 Other definitions

action has the meaning given by the Commonwealth Environment Act, chapter chapter 8, part part 23, division division 1, subdivision A.

activity, for chapter chapter 4, see section 47 31.

AES means aggregate environmental score.

aggregate environmental score, for an environmentally relevant activity, see section 14 13.

alluvial mining means excavating, in any way, unconsolidated, waterborne or weathered material (whether or not it is in a watercourse) and processing it by using chemical methods or gravity separation to extract minerals from the material.

Examples—

gem, gold or tin mining from alluvial wash

animal waste means any discarded materials, including carcasses, body parts, blood or bedding, originating from animals contaminated with an agent infectious to humans or from animals inoculated during research, production of biologicals or pharmaceutical testing with infectious agents.

annual fee, for an environmental authority—
(a) **annual fee generally** see section 118, or
(b) **for chapter 9, part 3, division 2, see section 161.**

**approved EMS**, for chapter 8, part 3, division 2, see section 123, or
**approved partner**, for chapter 8, part 3, division 2, see section 124.


**AS 1940** means ‘AS 1940–2004—The storage and handling of flammable and combustible liquids’.

**AS IEC 61672** means ‘AS IEC 61672—Electroacoustics–Sound level meters’.

**attribute table** means schedule 7, part 3, division 2, table 1.

**authority number**, for an environmental authority, means the unique number issued for the environmental authority by the administering authority.

**bed, of any waters—**

(a) includes an area covered, permanently or intermittently, by tidal or non-tidal waters; but

(b) does not include land adjoining or adjacent to the bed that is from time to time covered by floodwater.

**biological integrity, of water or a wetland, means the ability of the water or wetland to support and maintain a balanced, integrative, adaptive community of organisms having a species composition, diversity and functional organisation comparable to that of the natural habitat of the locality in which the water or wetland is located.**

**biosecurity waste** means—

(a) waste that is goods subject to biosecurity control under the Biosecurity Act 2015 (Cwlth); or

(b) goods under the Biosecurity Act 2015 (Cwlth) that are or were in contact with waste mentioned in paragraph (a).
boat maintenance or repair facility means a facility on land or in water that is used to maintain or repair boats or seaplanes.

Examples of facilities—
cradles, dry docks and docks, hardstand areas

category 1 regulated waste see section 43(1), (2) and (3).
category 2 regulated waste see section 64Asection 43(1) to (3).
category 2 regulated waste A environmentally sensitive area see section 64A(4)1 of this schedule.
category 2 regulated waste B environmentally sensitive area see section 64A(4)2 of this schedule.
change of ownership characteristic, for chapter 9 chapter 4, part 3, see section 16031.
characteristic, for chapter 4, see section 47.
chemical means—
(a) an agricultural chemical product or veterinary chemical product under the Agricultural and Veterinary Chemicals Code Act 1994 (Cwlth); or
(b) a dangerous good under the dangerous goods code; or
(c) a drug or poison in the ‘Standard for the Uniform Scheduling of Drugs and Poisons’ compiled by the Australian Health Ministers’ Advisory Council and published by the Commonwealth; or
(d) a substance intended for use as—
(i) a fertiliser for agricultural, horticultural or garden use, other than mushroom growing substrate or compost; or
(ii) a paint, paint solvent, pigment, dye, printing ink, industrial polish, degreasing agent, adhesive, sealant, food additive, bleach, sanitiser, disinfectant, biocide or biocide firefighting foam; or
(iii) a pesticide, insecticide, fungicide, herbicide, rodenticide, nematocide, miticide, fumigant or related product; or

(iv) a surface active agent, including, for example, soap and detergent; or

(e) class 1 or 2 combustible liquids under AS 1940; or

(f) a chemical toxicant for which guidelines are prescribed in the document ‘Australian and New Zealand guidelines for fresh and marine water quality’, published in October 2000.

chemical waste means waste generated from the use of chemicals in medical, dental, veterinary and laboratory procedures, including, for example, mercury, formalin and gluteraldehyde.

clay pit mining means excavating—

(a) waterborne or weathered material (whether or not it is in a watercourse) to extract clay for a use related to its ceramic properties; or

(b) kaolin; or

(c) bentonite.

clean earth means any natural substance found in the earth that is not contaminated with waste or a hazardous contaminant.

Examples—

clay, gravel, loam, rock, sand or soil

clinical waste means waste that has the potential to cause disease, including, for example, the following—

(a) animal waste;

(b) discarded sharps;

(c) human tissue waste;

(d) laboratory waste.
coal seam gas water means underground water brought to the surface of the earth or moved underground in connection with exploring for or producing coal seam gas.


commencement, for chapter 9, part 3, see section 160.

commercial, for an activity mentioned in schedule 2, means carried out for a fee or reward.

commercial premises means any of the following types of premises—

(a) a hotel, motel, caravan park, cafe, food store or canteen;

(b) an assembly building, institutional building, kindergarten, child minding centre, school or other building used for education;

(c) premises where a sport or game is ordinarily played in public;

(d) an exhibition ground, show ground or racecourse;

(e) an office, shop or other premises where business or work, other than a manufacturing process, is carried out.

commercial waste means waste, other than green waste, recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of commercial premises.

Commonwealth approval, for a project, means the Commonwealth Minister’s approval of the action the subject of the project under the Commonwealth Environment Act, chapter 4, part 9.

Commonwealth Minister means the Minister of the Commonwealth responsible for administering the Commonwealth Environment Act.

concurrence ERA see section 1615.
conformity assessment body, for Chapter 8, Chapter 9, Part-Part 3, Division-Division 2, see section 122.161.

Consignment number means—

(a) for a load of waste transported from a generator outside Queensland—the number assigned to the load under section 81X(5); or

(b) for a load of waste transported to a receiver outside Queensland—any number assigned as a consignment number for the load under an equivalent law of the jurisdiction.

Controlling provision, for a project, means a provision of the Commonwealth Environment Act, Chapter 2, Part-Part 3, decided by the Commonwealth Minister as a controlling provision for the project under that Act, Chapter-Chapter 4, Part-Part 7, Division-Division 2.

Control measure, for Chapter 4, see section 47.31.


cresol means pure cresol and its chemical derivatives, including, for example, the following—

(a) 2-methylphenol (o-cresol)

(b) 3-methylphenol (m-cresol)

(c) 4-methylphenol (p-cresol).

current test results, for waste, means test results—

(a) for the tests mentioned in section 64D—section 46 for the waste; and

(b) that are current for the waste under section 64E—section 48.

cytotoxic drug means a drug known to have carcinogenic, mutagenic or teratogenic potential.

daily peak design capacity, in relation to sewage treatment, see schedule 2, section 63(4).
dangerous goods means dangerous goods under the dangerous goods code.

dangerous goods class means the class allocated to dangerous goods under the dangerous goods code.

dangerous goods code means the seventh edition of the ‘Australian Code for the Transport of Dangerous Goods by Road and Rail’.

department’s website means the department’s website on the internet.

designated proponent, for a project, means the person designated as a proponent for the action the subject of the project under the Commonwealth Environment Act, section 75(3).

dimension stone mining means extracting rock and processing it by additional cutting or shaping for use for building or monumental purposes.

Example Examples of rock extracted by dimension stone mining—
granite, limestone, marble, sandstone, slate

disposal code, for a way of disposing of waste, means the relevant code for the disposal operation stated in schedule 2H10.

domestic clean-up waste means non-putrescible, dry and inoffensive waste, other than green waste or recyclable waste, produced as a result of a clean-up of domestic premises.

domestic premises means any of the following types of premises—
(a) a single unit private dwelling;
(b) premises containing 2 or more separate flats, apartments or other dwelling units;
(c) a boarding house, hostel, lodging house or guest house.

domestic waste means waste, other than domestic clean-up waste, green waste, recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of domestic premises.
eligible ecoBiz program, for chapter 8, part 3, division 2, see section 122, 161.

end-of-life tyre means a used tyre that is not attached to a vehicle.

environmental emission profile means the document ‘Environmental Emission Profiles—an A tool to profile the relative risk of environmentally relevant activities under the Environmental Protection Regulation 2008’, published by on the department’s website.

Editor’s note—

Note—

A copy of the environmental emission profile is available, free of charge, during business hours from the department’s head office at level 3, 100 George Street, Brisbane. On the day this regulation was notified in the gazette, a copy of the document was also available on the department’s website.

environmentally significant characteristic means a characteristic mentioned in the MCW NEPM, schedule A, list 2, a copy of which is set out in schedule 20.

environmental management decision, for chapter 4, see section 48, 32.

environmental objective assessment means an assessment carried out in accordance with schedule 51, part 2.

equivalent passenger unit see section 1 of this schedule.

ERA means an environmentally relevant activity.

estimation technique, for chapter 7, part 3, see section 121.

estimation technique application, for chapter 7, part 3, see section 123.

estimation technique approval, for chapter 7, part 3, see section 122.

facility, for an environmentally relevant activity, means, generally, the premises or other place used for the activity.

floodwater means water overflowing, or that has overflowed, from a watercourse onto or over riparian land that is not
submerged when the watercourse flows between or is contained within its bed and banks.

**general waste** means—

(a) generally, waste other than regulated waste; and

(b) for chapter 5A, chapter 6, part 2—any of the following—

(i) commercial waste other than regulated waste;

(ii) domestic waste;

(iii) recyclable waste; or

(b) otherwise—waste other than regulated waste.

**generator**—

(a) for chapter 5, part 1, division 3, see section 64H; or

(b) for chapter 5, part 9, see section 81D section 72(1)(a).

**generator identification number**, of a person, means the number assigned to the person under section 81ZB.

**green waste** means grass cuttings, trees, bushes, shrubs, lopings of trees, bushes or shrubs, or similar matter produced as a result of the ordinary use or occupation of premises.

**groundwater** means underground water.

**hard rock mining** means extracting material from underground, or open cut pits, and processing it by crushing or milling and using chemical methods or gravity-separation to extract minerals from it.

**high consequence dam** means a dam that is assessed as being in a high consequence category within the meaning of the document ‘Manual for assessing consequence categories and hydraulic performance of structures’ published by the department.

**highest astronomical tide** means the highest level of the tides that can be predicted to occur under average meteorological
conditions and under any combination of astronomical conditions.

**human body parts** means recognisable organs, bones and gross body parts but does not include teeth, gums, hair, nails, bone fragments or a placenta if it is to be retained by a parent or guardian.

**human tissue waste** means the following—

(a) tissue, blood, blood products and other body fluids that are removed from a person during surgery, an autopsy or another medical procedure;

(b) tissue, blood, blood products and other body fluids that are removed from a person during post-operative care or treatment;

(c) specimens of tissue, blood, blood products and other body fluids and containers in which the specimens are kept;

(d) discarded material saturated with, or containing, free-flowing blood and other body fluids.

**industrial waste** means—

(a) interceptor waste; or

(b) waste other than the following—

   (i) commercial waste;
   (ii) domestic waste;
   (iii) domestic clean-up waste;
   (iv) green waste;
   (v) recyclable waste;
   (vi) recyclable interceptor waste;
   (vii) waste discharged to a sewer.

**initial mixing zone**, for chapter 4, see section 47.

**interceptor** means a device used to intercept a substance in sewage, waste water or trade waste and prevent its discharge
into a sewer, septic tank, waste water disposal system or other treatment device.

Examples of interceptors—
- neutralising interceptors for neutralising acidic and alkaline substances
- grease interceptors for collecting and solidifying fat, grease and similar matter
- oil interceptors for collecting oil and petroleum products
- silt interceptors for collecting soil, sand, gravel and other sedimentary solids

 interceptor waste means matter, other than recyclable interceptor waste, intercepted by, and held in, an interceptor.

 interim period JAS-ANZ, for chapter chapter 9, part part 3, division 2, see section 160
 JAS-ANZ, for chapter 8, part 3, division 2, see section 122.

 limited regulated waste means any of the following types of regulated waste—
(a) animal effluent and residues, including abattoir effluent and poultry and fish processing waste;
(b) asbestos;
(c) food processing waste;
(d) quarantine waste that has been rendered non-infectious;
(e) sewage sludge or residue produced in carrying out an activity to which schedule 2, section 63 applies;
(f) tyres.

liquid waste means waste that—
(a) has an angle of repose of less than 5 degrees above horizontal; or
(b) becomes free-flowing—
   (i) at or below 60 degrees Celsius; or
   (ii) when it is transported; or
(c) is generally not capable of being picked up by a spade or shovel.
lower emissions score, for chapter 8, part 3, division 2, see section 125164.

manufacturing process means a handicraft or other process relating to adapting, altering, assembling, cleaning, finishing, making, ornamenting, preparing, renovating, repairing, washing, or wrecking goods for trade, sale or gain or otherwise in connection with a business.

Map of referable wetlands—Great Barrier Reef wetland protection areas means the ‘Map of referable wetlands—Great Barrier Reef wetland protection areas’, a document approved by the chief executive on 4 November 2011 [date] and published by the department, as amended from time to time by the chief executive under section 144D186.

Map of Queensland wetland environmental values see the Environmental Protection (Biodiversity) Policy 2019, schedule 00.

material, for chapter 4, see section 4731.

matters of national environmental significance means matters of national environmental significance mentioned in the Commonwealth Environment Act, chapter 2, part 3, division 1.

MCW NEPM means the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure made by the National Environment Protection Council, on 26 June 1998, under the National Environment Protection Council Act 1994 (Cwlth).

member of QR Group, for chapter 9, part 3, see section 160.

monitoring, for chapter 4, see section 4933.

naturally occurring surface waters includes artificial waterways that are directly connected to naturally occurring surface waters.

Example—
a canal connected to naturally occurring surface waters

Editor’s note—

Note—
The document is available for inspection during business hours at the department’s head office at level 3, 400 George Street, Brisbane and each regional office, and, on the day this regulation was notified in the gazette, was also available on the department’s website.

NPI NEPM see section 82114.

opal mining means extracting material from underground or open cut pits and processing it by manually separating opal rock or by using gravity-separation to extract opal.

organochlorine pesticide see section 3 of this schedule.

organophosphate pesticide see section 4 of this schedule.

operating, in relation to sewage treatment works, see schedule 2, section 6363(4).

calling group designator, for trackable waste, means the packing group designator applying to the waste under the dangerous goods code.

pharmaceutical product means a restricted drug under the Health (Drugs and Poisons) Regulation 1996.

persistent organic pollutant (other) see section 5 of this schedule.

phenol means pure phenol and its chemical derivatives, including, for example, the following—

• (a) 2-cyclohexyl-4,6-dinitrophenol
• (b) 2,4-dimethylphenol
• (c) 2,4-dinitrophenol
• (d) 2-methyl-4,6-dinitrophenol
• (e) 2-nitrophenol
• (f) 4-nitrophenol.

polycyclic aromatic hydrocarbon see section 6 of this schedule.
prescribed environmental management system, for chapter chapter_9, part part_3, division division_2, see section 122161.

prescribed form, for chapter chapter_5, part part_9, see section 84V91(1).

prescribed information—
(a) for chapter chapter_5, part part_1, division division_3, see section 64Hsection 50; or
(b) for chapter chapter_5, part part_9, see section 84Fsection 74.

prescribed time period, for chapter chapter_5, part part_9, see section 84G76.

prescribed way, for chapter chapter_5, part part_9, see section 84F75.

product stewardship means—
(a) a product stewardship scheme under the Waste Reduction and Recycling Act 2011; or
(b) one one of the following under the Product Stewardship Act 2011 (Cwlth)—
   (i) an accredited voluntary arrangement;
   (ii) an approved co-regulatory arrangement;
   (iii) mandatory product stewardship requirements specified under part part_4 of that Act.

project site, for an environmental authority, means a site where 1 or more environmentally relevant activities are carried out as a single integrated operation under the authority.

published, for chapter 6, see section 83.

QR Limited, for chapter 9, part 3, see section 160.

Editor’s note—

On the day this regulation was notified in the gazette, the document was available for inspection during office hours at the national office of the Commonwealth Department of Agriculture, Fisheries and Forestry at 18 Marcus Clarke Street, Canberra City ACT.

radioactive substance see the Radiation Safety Act 1999, schedule 2.

receiver—

(a) for chapter 5, part 1, division 3, see section 64H; or

(b) for chapter 5, part 9, see section 81D section 72(1)(c).

recyclable interceptor waste means matter that is, or is intended to be, removed from a grease interceptor and taken elsewhere for processing into a non-toxic, non-hazardous and usable substance for sale.

recyclable waste, for a local government’s area, means clean and inoffensive waste that is declared by the local government to be recyclable waste for the area.

Examples of waste that may be declared to be recyclable waste—

glass bottles, newspaper, cardboard, steel and aluminium cans, and green waste

reduced annual fee, for chapter 8, an environmental authority, for chapter 9, part 3, see section 122

registration number, of a motor vehicle, means its registration number under the Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010.

related body corporate, for chapter 9, part 3, see section 160.

related waste means waste that constitutes, or is contaminated with, chemicals, cytotoxic drugs, human body parts, pharmaceutical products or radioactive substances.

relevant attribute, in relation to waste, means—
(a) if the waste is liquid waste—an any of the attributes mentioned in the attribute table, column 1, items 1 to 6 of the attribute table; or

(b) if the waste is solid waste—an attribute mentioned in the attribute table, column 1, item 1 or 6 of the attribute table.

_relevant impacts_, for chapter 2 and schedule 1, means the impacts, including the potential for environmental harm—

(a) for a project prescribed under section 4(a)—the project has or will have, or is likely to have, on the mater protected by a controlling provision for the project; or

(b) for a project prescribed under section 4(b)—the project has or will have, or is likely to have, on the matters of national environmental significance.

_relevant premises_ includes domestic, government and commercial premises.

_relevant resource environmental authority_, for chapter 9, part 3, division 2, see section 161.

_relevant substance_, in relation to waste, means a substance mentioned in the substance table, column 1 or the threshold table, column 1 that could reasonably be expected to be present in the waste having regard to—

(a) the source, type and quality of materials involved in the generation of the waste; and

(b) the way in which the waste was generated.

_relevant site_, for chapter 4, see section 47.

_reporting period_, for chapter 6, see section 83.118.

_reporting requirement_, for chapter 6, see section 83.

_reporting requirement_, for the occupier of a reporting facility, for chapter 7, see section 115.

_reporting threshold_, for chapter 6, a substance, for chapter 7, see section 83.115.
riverine area does not include land outside the flood flow channel of a watercourse.

scheduled area see section 4514.

sensitive land use see the Planning Regulation 2017, schedule schedule 24.

sensitive receptor means a sensitive receptor under any relevant environmental protection policies.

serviced premises, for chapter 5A chapter 6, see section 81ZE100.

shallow pit mining means extracting material from an open cut pit no more than 5m deep and processing the material to extract minerals.

sharp means an object or device having sharp points, protuberances or cutting edges that are capable of causing a penetrating injury to humans.

significant consequence dam means a dam that is assessed as being in a significant consequence category within the meaning of the document ‘Manual for assessing consequence categories and hydraulic performance of structures’ published by the department.

source noise, for chapter 5, part 4, division 2, see section 58.

solid waste means waste other than liquid waste.

source noise, for chapter 5, part 3, division 2, see section 70.

standard cattle unit see section 2-7 of this schedule.

standard general waste container means a container of a type approved by a local government for storing domestic waste, commercial waste or recyclable waste at premises in the local government’s area.

standard pig unit see section 3-8 of this schedule.

standard sheep unit see section 4-9 of this schedule.

stated threshold, for a prescribed ERA to which a section under schedule 2 applies, means a threshold for carrying out the activity stated in the section.
storing, a quantity of a chemical, includes moving the chemical, or some of the chemical, within the site where the chemical is stored.

subsidiary risk, for trackable waste, means the subsidiary risk applying to the waste under the dangerous goods code.

substance table means schedule 7, schedule 14, part 3, division 2, table 2.

surface water, for chapter 4, water see section 47.31.

tested waste, for chapter 5, part 1, division 3, see section 64H.50.

test results see section 64F.48(1).

threshold table means schedule 7, schedule 14, part 2, table.

trackable waste see section 81C.71(1).

transporter, for chapter 5, part 9, see section 81D.72(1)(b).

Treasurer, for chapter 9, part 3, see section 160.

treated clinical waste means clinical waste that has been treated to render it non-infectious.

treatment code, for a way of treating waste, means the code for the treatment operation stated in schedule 24H.10.

unique identifier, for the transportation of a load of trackable waste, means—

(a) if the generator gives the administering authority information about the transportation in the prescribed form—the unique identifier marked on the form; or

(b) if the generator gives the administering authority information about the transportation in another way the administering executive has approved under section 81W.92—the unique identifier assigned under the approved way.

UN number, for trackable waste, means the United Nations number applying to the waste under the dangerous goods code.
untreated clinical waste means clinical waste, other than treated clinical waste, including, for example, clinical waste that has been only partly treated.

waste and resource management hierarchy see the Waste Reduction and Recycling Act 2011, schedule.

waste and resource management principles see the Waste Reduction and Recycling Act 2011, schedule.

waste code, for trackable waste, means the code for the waste stated in schedule 2E.

waste facility means a facility for the recycling, reprocessing, treatment, storage, incineration, conversion to energy or disposal of waste.

waste handler means a generator, transporter or receiver of trackable waste.

waste reduction and recycling plan see the Waste Reduction and Recycling Act 2011, schedule.

waste handler see section 72(1).

water, for chapter 4, see section 47.

watercourse see section 8 of this schedule.

wetland means an area shown as a wetland on the Map of referable wetlands.

wetland management area means an area shown as a wetland management area on the Map of referable wetlands.

wetland protection area means an area shown as a wetland protection area on the Map of referable wetlands Queensland wetland environmental values.

within, a threshold, includes in accordance with the threshold.
ENDNOTES
1. Made by the Governor in Council on [Made by Governor Date].
2. Notified on the Queensland legislation website on [Notification Date].
3. The administering agency is the Department of Environment and Science.