

Notice

Environmental Protection Act 1994

Annual notice

This notice is issued by the administering authority¹ pursuant to section 308 of the Environmental Protection Act 1994 to advise you of any requirements to pay an annual fee and submit an annual return².

To: Earth Commodities Rockhampton Pty
Ltd
PO Box 1334
EAGLE FARM BC QLD 4009

Email: jamie@earthcommodities.com.au

Our reference: 222456

Annual notice for an environmental authority

1. Environmental authority details

Environmental authority number EPPR00230413 held by Earth Commodities Rockhampton Pty Ltd authorises the following activities at the following locations:

Activity	Location/relevant site	Fee
16-(1b) Dredging >10000t but <100000t yr	Bruce Highway, Yaamba - Lot 93 Plan LN801012 and Lot 67 Plan LN1741	\$5,712.50
16-(2a) Extractive >5000t but <100000t yr	Gravel Pit Road - Yeppoon - Lot 20 Plan RP836580	
16-(3a) Screening >5000t but <100000t yr		

Note that your previous environmental authority permit reference number of ENRE00903209 has been converted to EPPR00230413.

2. Requirements of this annual notice

You are required to complete the attached annual return for the period from 21-Mar-2013 to 20-Mar-2014 and return it to Permit and Licence Management at the below address.

You are also required to pay the annual fee of \$5,712.50³ for your environmental authority for the period 21-Mar-2014 to 20-Mar-2015. If you are eligible for a reduced annual fee you must submit a claim for a reduced annual fee and pay the reduced annual fee. For details on the eligibility criteria please refer to the information sheet Paying a Reduced Annual Fee (EM264)⁴ which is available at www.ehp.qld.gov.au

Annual Return

Environmental Protection Act 1994

Registration Certificate

OFFICIAL USE ONLY

DATE RECEIVED:

FILE REF:

PROJECT REF:

COMPLETE FORM:



ADMINISTERING REGION:

Rockhampton

Sch 4 - Signature

DATE:

08 03 2013

GUIDANCE NOTES

List the full names of the holders of the Registration Certificate. Where there is more than one please list all.

Minor changes, such as change of name or amendment by agreement. A change of name and a change in ABN/ACN will require an application to amend the Registration Certificate.

Please contact Permit and Licence Management on 1300 130 372 for more information.

Important information for holders of a Registration Certificate

This form must be completed and submitted to the administering authority each year by the holder of a Registration Certificate and submitted with the appropriate payment under the *Environmental Protection Act 1994*.

For help in completing this form please refer to the **Guidance Notes** on the left of each page or if you have any questions about this annual return or any supporting information required please contact Permit and Licence Management on 1300 130 372.

The completed Annual Return is to be sent to: Permit and Licence Management, Implementation and Support Unit, Department of Environment and Heritage Protection, GPO Box 2454, Brisbane Qld 4001.

Annual Return details for 21 Mar 2012 to 20 Mar 2013

1. Registration Certificate Holders Name

NAME(S):

Earth Commodities Rockhampton Pty Ltd

2. Registration Certificate Number

NUMBER(S):

ENRE00903209

RECEIVED

01 MAR 2013

PaLM



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Registration Certificate

Where there is more than one holder, all joint holders may appoint one holder as the principal holder to act on behalf of them all. The appointment may be made by giving written confirmation signed by all the holders of the Registration Certificate. Please update contact details if incorrect by crossing out the details and printing the correct details beneath or on an attached sheet of paper.

3. Principal holder

NAME OR NAME OF COMPANY AND CONTACT PERSON: Earth Commodities Rockhampton Pty Ltd	
REGISTERED BUSINESS ADDRESS: 23 Chapman Place EAGLE FARM QLD 4009	
FULL POSTAL ADDRESS (WHERE DIFFERENT): PO Box 1334 EAGLE FARM BC QLD 4009	
TELEPHONE: 0736234912	FACSIMILE: 0736234916
MOBILE TELEPHONE: Sch 4 - Personal information	EMAIL: jamie@earthcommodities.com.au

Please update details if incorrect by crossing out the details and printing the correct details beneath or on an attached sheet of paper.

4. Contact Person (where applicable)

NAME: Mr Paul Sargent	
POSITION AND COMPANY: Group Risk & Compliance Manager, Earth Commodities Rockhampton Pty Ltd	
FULL POSTAL ADDRESS: PO Box 1334 EAGLE FARM QLD 4009	
TELEPHONE: 07 36234990	FACSIMILE:
MOBILE TELEPHONE: Sch 4 - Personal information	EMAIL: paul@earthcommodities.com.au

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Registration Certificate

5. Do you have a copy of the Development Approval/s or Code of Environmental Compliance to which your Registration Certificate applies?

☒ YES

☐ NO

6. Have any of the activities on your Registration Certificate altered since the time it was issued?

☐ YES → Your Development Approval and Registration Certificate may need to be amended. Contact Permit and Licence Management for advice.

☒ NO

7. Does your Registration Certificate include an activity with an aggregate environmental score?

☐ YES → Go to question 8.

☒ NO → Go to question 9.

8. Are you claiming a reduced annual fee under sections 121-127 of the Environmental Protection Regulation 2008?

☐ YES → A reduced annual fee cannot be claimed unless *Appendix A - Claiming a reduced annual fee* is completed. Please complete Appendix A and return it together with this annual return form.

☐ NO

For details of the eligibility criteria please refer to the information sheet *Paying a reduced annual fee* which is available from the department's website.

NOTE: The reduced annual fee does not apply if the annual return and fees are not submitted by the due date or if there is no aggregate environmental score.

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Section 320 of the EP Act imposes a duty on the holder of a Registration Certificate to report serious or material environmental harm caused or threatened in the carrying out of an activity unless that harm is specifically authorised under a Development Approval or Code of Environmental Compliance.

Please do not submit an annual report, required by a condition of an DA or Code of Environmental Compliance, with this annual return. Annual reports are to be stored for viewing upon request.

Monitoring data that has been submitted electronically to the Point Source Data Base in accordance with a written agreement with the department does not need to be resubmitted.

All reports must be held in the same place and be available for inspection by the administering authority during business hours. You must forward the reports on request or when the Registration Certificate has been surrendered or cancelled.

9. Since your last annual return, have you fully complied with the conditions of your Development Approval or Code of Environmental Compliance and your general environmental duty?

☒ YES

☐ NO → For each condition of the DA or Code of Environmental Compliance with which the holder has not complied, please attach the following

- a) a statement of whether or not the non-compliance/incident has been previously reported;
- b) a statement describing the non-compliance/incident including photographs where appropriate;
- c) a statement describing the environmental impacts resulting from the non-compliance/incident;
- d) a statement describing the actions taken to repair any damage to the environment resulting from the non-compliance/incident

☐ Tick to indicate that the required statements are attached

10. Does a condition of your Development Approval or Code of Environmental Compliance require you to carry out any monitoring and/or prepare reports on the activities for which you hold a Registration Certificate?

☐ YES

☒ NO → Go to question 15.

11. Do you provide reports directly to the point source database?

☐ YES → Go to question 16, if no other monitoring is required to be undertaken.

☐ NO

12. Has all of the necessary environmental monitoring been carried out and all the reports prepared in accordance with your Development Approval or Code of Environmental Compliance?

☐ YES

☐ NO → Provide details below explaining why this has not occurred. If you require more space, attach additional information.

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13. Please provide details of the titles of all the monitory data compiled and the reports prepared since your last annual return. Please provide details of where the monitoring data and reports are kept.

Table 1 List of Monitoring data required

NATURE OF REPORT AND FOR MONITORING	PREPARED BY	LOCATION OF REPORT	DATES COVERED

Please do not submit the report(s) with this annual return - fill out the information below. If you require more space, attach additional information.

14. Has the monitoring that has been carried out shown any exceedance of the environmental limits set in the conditions of your Development Approval or Code of Environmental Compliance?

- ☐ YES → Please attach a copy of the notification of the exceedance that you gave to the administering authority.
- ☐ NO

15. Is this return for ERA 57 - Regulated waste transport?

- ☐ YES → Go to Question 16.
- ☒ NO → Go to Question 18.

Appendix A: Claiming a reduced Annual Fee

This appendix is to be used to claim a reduced annual fee under sections 121-127 of the *Environmental Protection Regulation 2008* and is to be attached to the annual return for a Registration Certificate or Environmental Authority (the authority). Refer to the *Information Sheet: Paying a reduced annual fee* for details of the eligibility criteria for claiming a reduced annual fee and the information to accompany the annual return before completing this appendix.

1. Eligibility for a reduced annual fee

I am eligible to claim a reduced annual fee as I meet all the following:

- ☐ in the 3 years immediately before this annual return and fee is due (or for the duration of the authority if it is less than 3 years old), no compliance action event (see section 3) has occurred for this authority;
- ☐ the ERA has an aggregate environmental score (AES);
- ☐ the ERA is administered by the Department of Environment and Heritage Protection (EHP);
- ☐ the reduced annual fee will be paid by the due date;
- ☐ the annual return will be completed and submitted by the due date;
- ☐ I am eligible under one or more of the criteria in section 2; and
- ☐ I have attached the documentation required in section 2.

2. Criteria for the reduced annual fee claimed

I am claiming a reduced annual fee for the following criteria and have attached the documents as required:

- ☐ **Approved partner (ecoBiz) - 10% discount**
 - ☐ a copy of the letter from EHP confirming status as an ecoBiz partner.
- ☐ **Approved environmental management system (EMS) - 20% discount**
 - ☐ I operate under an EMS certified by an accredited body as being compliant with ASNZ ISO: 14001: 2004 Environmental Management Systems.
 - ☐ I have included a statutory declaration, completed by an appropriately qualified person (see section 4), verifying that-
 - All the activities carried out under this Registration Certificate were carried out in accordance with the prescribed EMS last year; and
 - I am complying with the conditions of the authority.

☐

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☐ **Reduced emissions profile - 20% discount**

- ☐ I have included a statutory declaration, completed by an appropriately qualified person (see section 4), verifying that-
- The relevant activity, or the activity with the highest AES, has an emissions score (see section 5) that is at least 25% less than the emissions score stated to apply for the activity under the environmental emission profile; and
 - The data used to calculate the emissions score (see section 5) for the relevant activity is accurate and has been obtained by a method appropriate for the type of activity.

Declaration

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge. I understand that it is an offence under section 480 of the *Environmental Protection Act 1994* to give to the administering authority, or an authorised person, a document containing information that I know is false, misleading or incomplete in a material particular.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANTS SIGNATURE	
APPLICANTS NAME	DATE

Checklist

- ☐ If claiming as an approved partner, a copy of the letter confirming status as an ecoBiz partner.
- ☐ If claiming for environmental management system, a statutory declaration as outlined above in section 2.
- ☐ If claiming for reduced emissions profile, a statutory declaration as outlined above in section 2.

Additional Explanation of Requirements for Claiming a Reduced Annual Fee

Definition of compliance event

A compliance action event, for the holder of a relevant 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 *Environmental Protection Act 1994* (EP 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 EP Act and-
 - (i) the holder complies with the notice; or
 - (ii) a proceeding for an offence against section 363E¹ of the EP Act has not started;
- (f) a proceeding for an environmental offence or an offence under section 363E¹, 363I² or 363L³ of the EP Act (a notice offence), is started or continued against the holder and has not finished;
- (g) the holder is convicted of an environmental offence or a notice offence.

If a registered operator has two sites (e.g. Site A and Site B) and two separate Registration Certificates or Environmental Authorities, then a compliance event on Site A will not affect access to the discounts for the annual fee on Site B. If both Site A and Site B are licensed under a single Registration Certificate or Environmental Authority, a compliance action event at either site will render the registered operator or Environmental Authority holder ineligible for a reduced annual fee.

Criteria for appropriately qualified person

An appropriately qualified person must be an independent third party who is not an employee of the holder of the authority.

They must also be a member of one of the following organisations as set out in schedule 8 of the *Environmental Protection Regulation 2008*:

- Australasian Radiation Protection Society
- Australian Institute of Agricultural Science and Technology
- Australian Institute of Geoscientists
- Australian Society of Soil Science

¹ Section 363E (Offence not to comply with a direction notice).

² Section 363I (Offence not to comply with clean-up notice).

³ Section 363L (Obstruction of recipient complying with notice).



- Engineers Australia
- Environmental Health Australia
- Environment Institute of Australia and New Zealand
- Institute of Explosives Engineers
- Institutions of Chemical Engineers Australia
- Institute of Engineering and Mining Surveyors Australia
- Planning Institute of Australia
- South Pacific Environmental Radioactivity Association
- The Australian Institute of Mining and Metallurgy
- The Institution of Surveyors Australia
- The Royal Australian Chemical Institute

For the approved EMS discount, the appropriately qualified person should have demonstrated experience and qualifications that relate to the development and operation of environmental management systems, and the assessment of compliance with the conditions of a Development Approval or an Environmental Authority.

For a lower emissions score an appropriately qualified person (in chemical, soil, water or air quality science) should have knowledge of, and experience in, interpreting and analysing emissions monitoring data.

Information on the emissions score

The emissions score for a relevant activity, means the emissions score component of the aggregate environmental score (AES) for the activity. The AES was calculated by the department and is scheduled in the *Environmental Protection Regulation 2008* (next to the environmentally relevant activity (ERA) definitions in Schedule 2, 5 and 6).

The AES is made up of two components:

- the emissions score; and
- the site attributes score.

The emissions score is the average annual emissions to air, land and water, and a detailed breakdown of contaminants and volumes is provided for each ERA on the department's website at www.ehp.qld.gov.au.

Data should be based on the annual average emissions for each contaminant in order to accommodate seasonality and other fluctuations. It does not matter how the emissions reduction is achieved or how many contaminants contribute to the overall reduction.

Data collection should be consistent with the guidelines and methodologies contained in:

- Air Quality Sampling Manuals and Water Quality Sampling Manuals prepared by the Queensland Government, which are available on the department's website at www.ehp.qld.gov.au.
- Annual reporting data from the National Pollutant Inventory for the previous reporting year.

