

Information sheet

Environmental Protection Regulation 2008

Information to be provided with an application for a development approval (DA) for an environmentally relevant activity (ERA)

This information sheet provides general details of the information to be provided with an application for a development approval for chapter 4 ERAs to enable the application to be assessed under the Sustainable Planning Act 2009.

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1 Introduction

An activity is made an environmentally relevant activity (ERA) because it has the potential to cause environmental harm. This document addresses information requirements for chapter 4 ERAs which require development approval under the *Sustainable Planning Act 2009* (SPA). The chapter 4 ERAs are outlined in schedule 2 of the Environmental Protection Regulation 2008.

If there is a code of environmental compliance in place, then a development approval is not needed for that aspect of development. However, a development approval may be required for other aspects of the overall development.

2 Properly made application

Section 260 of SPA lists the requirements for a properly made application. To be properly made the application must:

- be made to the assessment manager;
- be in the approved form (integrated development approval system (IDAS) form 1 and 8 and any other relevant IDAS forms) or made electronically using e-IDAS where available;
- include the mandatory supporting information nominated on the form;
- include the prescribed fee;

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- where necessary, include the owner's written consent or a declaration by the applicant that the owner has given written consent to the making of the application;
- where the application involves a State resource, one of the following:
 - evidence of an allocation of, or entitlement to, the resource (a resource entitlement);
 - evidence the chief executive of the department administering the resource (the chief executive) is satisfied the development is consistent with a resource entitlement; or
 - evidence the chief executive is satisfied the development application may proceed without a resource entitlement.

If an application is not properly made, the assessment manager must give the applicant a notice giving the reasons why the application is not properly made and the action to be taken by the applicant for the application to be properly made. The application lapses if the action is not taken within 20 business days of receiving the notice (or a longer period agreed between the applicant and the assessment manager). Processing of the application will not commence until it is properly made.

3 Information required to assess an application

A thorough and accurate description of the proposed activity and a description of the proposed management measures for environmental responsibilities will ensure the application can be processed efficiently. The IDAS forms provide details of the information to be supplied with an application, including mandatory information. The application must include the mandatory information listed in the IDAS form and should also include the materials listed below. If the application does not include sufficient information to assess the application an information request will be made under the *Sustainable Planning Act 2009*.

Where the same or similar information is required in several sections, provide the information once and then refer to it in subsequent sections. If the earlier information is not sufficiently clear and detailed, provide separate drawings and details to satisfy the requirements of a subsequent section.

3.1 Description of ERAs

A complete description of each of the ERAs to be conducted on the premises/place must include:

- an outline of proposed operations and ERAs;
- plans of the site and surrounding area and location of all points at which there will be discharges to the environment;
- details of physical and/or chemical processes to be used.

Details required for each of these items are outlined below:

1. Site, surrounding area and discharge points.

Please provide:

- a scaled site plan (at least A3 size) showing:
 - site boundaries;
 - all site improvements including buildings, walls, paving, roads, drains, channels, ponds and dams;
 - existing and proposed site services including stormwater and sewerage;
 - the topography, including the flooding potential of the relevant land;

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- a drawing which shows the location of all existing and proposed discharge and emission points to the environment, including points at which the following occur (where relevant):
 - air emissions;
 - noise emissions;
 - discharges to water;
 - discharges to land;
 - discharges of other contaminants (e.g. gas, liquid, solid, odour, organism (alive or dead), virus, or energy - including noise, heat, radioactivity and electromagnetic radiation).
- a drawing which shows:
 - elevations of buildings and associated discharge points to the environment;
 - the name and exact location of equipment giving rise to such discharges;
 - the name and exact location of equipment used in the processing, reprocessing, treatment, and/or discharge of wastes.

All discharge points are to be numbered sequentially. Discharge points should be labelled according to the substance being discharged. For example, discharges of wastewater could be indicated in red lettering or prefixed with code letters like WW and referenced in the legend to the map, plan or drawing.

All plans and drawings submitted should be drawn to scale with the horizontal and vertical scales and dimensions shown and include a northpoint. All plans must contain at least one survey or geographically referenced point from which the location of features can be determined.

2. Proposed operations/ERAs.

Please give a brief description of each of the following:

- operations/ERAs to be carried out on the premises/place;
- processes used (a more detailed description is required below);
- any treatment plant(s);
- the proposed source, nature, composition, rate and the immediate or ultimate destination of wastes generated.

Note: waste includes gas, liquid, solid or energy that is surplus to or unwanted from the carrying out of the ERA whether or not of value.

3. Process details.

Please provide descriptions of all manufacturing processes used or proposed, including:

- a process flowsheet;
- process and instrumentation diagram(s);
- physical and chemical transformations that occur at different stages in the process;
- material balances;
- material safety data sheets for all chemicals used or manufactured;
- contingency/emergency response procedures to avoid/minimise discharges resulting from process failure and shutdown;

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- chemical storage and handling facility, and evidence of compliance with local government requirements and relevant Australian Standards.

3.2 Description of the environment

A description of the environment in which the ERA is or will be conducted is needed to assess the character of the neighbourhood and the potential impact of the ERA on it. For some ERAs, only the 'next-door' neighbours need be described; for others a wide area might need to be described. Details required are outlined below:

1. Maps and photographs of site and surrounding area.

Please supply maps of suitable scales showing the site and surrounding land likely to be affected by the ERA (the area). The following maps are of assistance:

- large-scale (1:2500 where available) orthophotographic map(s) of the area;
- topographical map(s) (scale 1:10,000 where available) of the area.

Mark the maps clearly with the locations of residential places or areas and any other sensitive areas.

Other sensitive areas include:

- surface waters (including gullies that lead to a watercourse), water bores, wells, water supply catchments;
- conservation areas;
- schools, kindergartens and childcare centres;
- hospitals and nursing homes; and
- horticulture and other sensitive crop production.

An aerial photograph of the site and surrounding areas should be included if available.

2. Zoning of site and surrounding area.

Please provide the current, and where available, proposed land use zones of the area on a map to appropriate scale.

This information is contained in local government development control plans, town planning schemes, and strategic plans. These are available from the local government in whose district the ERA is situated.

3.3 Stormwater management plan

Stormwater must be managed so environmental harm or environmental nuisance is not caused by waste or contaminants washed into surface water or groundwater. If the ERA will not impact on the stormwater system, please state this.

Applicants must establish stormwater management plans using best-practice environmental management to avoid contamination of stormwater by wastes or contaminants.

1. Stormwater generation and disposal.

The stormwater management plan should include a plan detailing:

- points of discharge to a stormwater system, including any waterway or drain;
- the catchment area for each stormwater drain, and the use of these areas;
- any structures and systems used to minimise or prevent the contamination of stormwater.

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The stormwater management plan should address:

- diverting upstream runoff away from contaminated areas;
- cleaning contaminated areas without using water;
- installing and maintaining control measures such as oil separators, silt and rubbish traps, gross pollutant traps and stormwater diversion systems;
- paving, roofing and bunding contaminated areas;
- diversion of “clean” stormwater from roofed areas to the local government stormwater system.

2. Erosion and sediment control management plans

An applicant proposing to carry out an ERA involving land disturbance must establish erosion and sediment control management plans using best-practice environmental management to avoid contamination of stormwater.

Please supply, where applicable, an erosion management plan as part of the stormwater management plan which considers:

- minimising the amount of topsoil being disturbed at any one time by staging development;
- diverting upstream runoff from disturbed areas;
- re-vegetating or mulching disturbed areas as quickly as possible;
- installing and maintaining control measures such as silt fences, settling basins, energy dissipaters and vegetated buffers.

3.4 Acid sulfate soils

An applicant proposing to carry out an ERA involving disturbing acid sulfate soils either directly by excavation or indirectly by lowering of the water table must establish a management plan using best-practice environmental management to avoid contamination of stormwater runoff and groundwater by acid-rich water and other contaminants such as aluminium.

Please supply, where applicable, an acid sulfate soil management plan which details:

- identification and description of acid sulfate and potential acid sulfate soils likely to be disturbed by the proposed ERA;
- the likely effects of any such disturbance;
- preventing acid formation such as maintaining watertable levels;
- storage and treatment of any excavated materials;
- management of stormwater runoff and leachate from disturbed areas and storage areas;
- a program to monitor the effectiveness of any remedial measures adopted.

3.5 Waste management program

In addition to the information required below there are specific requirements for certain ERAs concerning certain wastes under the Environmental Protection (Waste Management) Regulation 2000. For further information please contact the local office of the administering authority.

The applicant must establish a strategy for minimising the generation of waste. Details required are as follows:

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1. Waste management.

For each waste declared, detail whether the waste is:

- discharged to the environment;
- stored, treated, recycled or reprocessed either on-site or off-site, (if off-site, identify the location where this is to be carried out);
- subject to emission controls; or
- disposed of on-site or off-site (if off-site, identify the location).

2. Generating waste.

If waste is, or may be, generated in carrying out an ERA, provide the following information:

- type of waste;
- quantity of waste generated over a certain period of time;
- general character (solid, liquid, etc, if hazardous other environmentally relevant characteristics);
- how waste is handled — whether generated, transported, or received by the person carrying out the ERA.

3. Transporting waste.

If waste is transported by the applicant, details must be included regarding:

- the vehicles, storage tanks, containers and other equipment used for the transportation;
- sampling of the waste;
- monitoring and reporting of matters concerning the waste;
- emergency response planning;
- keeping of records about the transportation.

4. Receiving waste.

If waste is received by the applicant, the following details must be included:

- the type of waste received;
- segregation of the waste;
- storage of the waste;
- monitoring and reporting of matters concerning the waste received;
- emergency response planning;
- keeping of records about the receipt of the waste.

5. Waste minimisation strategy and cleaner production program.

Where applicable, provide an outline of the waste minimisation strategy including:

- objectives such as target waste generation, recycling and treatment rates having regard to the Waste Management Hierarchy defined in Schedule 1 of the Environmental Protection (Waste Management) Policy 2000;
- the timetable for achieving objectives;

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- any equipment or modifications proposed for achieving the objectives.

A cleaner production program should identify and implement ways of improving a production process so that the process:

- uses less energy, water or another input; or
- generates less waste; or
- generates waste that is less environmentally harmful.

Note: a cleaner production program may not be applicable to all ERAs.

3.6 Contaminant releases and likely effects

The amount of information required for this section of the application depends on the nature and scale the ERA and the nature of the surrounding area.

For example, a small business or company with a low potential for causing environmental harm would not need to supply as much information as a large business or company conducting a significant operation near a residential or other sensitive area.

Note: for significant discharges, emissions and lighting, the environmental effects need to be identified clearly and detailed information provided. Contact the administering authority to establish the level of detail necessary for the situation.

Please address the following sections only where they relate to the ERA that will be operated.

1. Discharges to waters.

If contaminants are or will be discharged to waters (including groundwater and surface water), please provide the following information:

- a discussion of alternatives to discharge (for example, waste minimisation, effluent reuse, land disposal, discharge to or transportation to a local government sewerage scheme); these must be evaluated and shown to be impractical before any discharge to surface waters will be considered;
- documentation showing that the local government will not accept the waste in its sewerage system;
- the location of each discharge point (refer to drawing(s) provided in Description of ERAs);
- the name, location and description of receiving waters, including groundwater;
- an assessment of the current environmental values of receiving waters;
- identification of any nearby areas of conservation significance;
- details of each discharge point including:
 - description of the source(s) of contaminant(s);
 - type(s) of contaminant(s) and expected concentrations (include range);
- quantity of each contaminant released each day, including:
 - rate of release of each contaminant;
 - maximum and background concentrations of each contaminant (if available);
 - any variation in quantity or quality of each contaminant released such as peak flows and abnormal events;
 - dimensions and construction materials of discharge structures;

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- description of pollution control equipment;
- an assessment of the likely effect of the discharges to water on the environment.

2. Discharges to air.

If contaminants are or will be discharged to air, please provide the following information:

- the location of each discharge point (refer to drawing(s) provided for Description of ERAs);
- prevailing atmospheric characteristics;
- details of nearby sensitive areas, such as offices, schools, hospitals, residential areas, other industries;
- details of each discharge point including:
 - description of the source(s) of contaminant(s);
 - type(s) of contaminant(s) and expected concentrations (include range);
 - quantity of each contaminant released each day;
 - rate of release of each contaminant;
 - maximum and background concentrations of each contaminant (if available);
 - any variation in quantity and quality of each contaminant released such as peak flows and abnormal events;
 - description of pollution control equipment;
 - height above ground of final discharge;
- an assessment of the likely effect of the discharges to air on the environment.

3. Discharges to land.

If contaminants are or will be discharged to land, please provide the following information:

- location of discharge points (refer to the drawing(s) provided for Description of ERAs);
- description of land which will receive the wastes, including area, slope, flood potential, erosion potential, and vegetation;
- soil characteristics, including results of any soil tests or percolation tests;
- rainfall and evaporation data for the area;
- groundwater level and use, if any;
- proximity of any streams, drains, watercourses, dams, soaks or springs;
- proximity of roads and public access;
- details of each discharge point including:
 - description of the sources of contaminants;
 - type(s) of contaminant(s) and expected concentrations (include range);
- quantity of each contaminant released, including:
 - maximum and background concentrations of each contaminant (if available);
 - any variation in each contaminant released such as peak flows or abnormal events;

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- an assessment of the likely effect of the discharges to land on the environment.

4. Noise.

If the ERA is or will be causing increased noise levels outside the premises on which it occurs, please provide the following information:

- location of all stationary and mobile noise-generating equipment (refer to the drawing(s) provided for Description of ERAs);
- general climate and prevailing wind characteristics;
- details of nearby noise-sensitive areas, such as schools, offices, kindergartens, retirement homes, domestic residences, or some industrial premises;
- general noise climate such as background level in the absence of the noise source(s);
- description of each noise source including:
 - overall sound power level in dB, preferably in octave bands with centre frequencies 31.5Hz to 8kHz; alternatively, the operation sound pressure level in dB(A) and octave bands at a specified distance is acceptable;
 - hours and days of operation;
 - description of any measures or equipment used to control noise;
- an assessment of the likely effect of noise from the ERA on nearby noise-sensitive areas.

5. Discharge of other contaminants.

Other contaminants can include:

- energy;
- heat;
- electromagnetic radiation; or
- an organism (whether alive or dead), including a virus.

If other contaminants are or will be discharged as a result of the ERA, please provide the following:

- the location of source point(s) for each type of contaminant (refer to the drawing(s) provided for Description of ERAs);
- details of nearby sensitive areas;
- a description of each contaminant including:
 - its source(s);
 - quantity released;
 - rate of release;
 - maximum and background concentrations (if available);
 - any variation in contaminant releases such as peak levels and abnormal events;
- an assessment of the likely effect of the contaminant(s) on the environment.

Please note that other environmental issues may be relevant to the specific operations. All operators are bound by the general environmental duty to manage all impacts associated with an activity.

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4 Further information

For more information, please contact Permit and Licence Management on phone number 13 QGOV (13 74 68) or fax number (07) 3896 3342.

The latest version of this publication can be found at <www.derm.qld.gov.au> using the publication number EM2150 as a search term.

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