

**General environmental duty**  
**Code of practice**  
**for**  
**motor vehicle workshop operations**

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# 1. Introduction

This environmental code of practice has been prepared to provide guidance to operators to help them comply with the *Environmental Protection Act 1994* by meeting their general environmental duty. The code also outlines the environmental best management practices of leaders in the industry.

Under Section 319 of the *Environmental Protection Act 1994*, all persons in Queensland must fulfil their 'general environmental duty'. This is defined as follows: 'A person must not carry out an activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm'.

See Appendix 1.

This document describes motor vehicle workshop operations, the potential impacts on the environment, and what actions a motor vehicle workshop operator can take to prevent and or minimise those risks.

Although this environmental code of practice is a voluntarily adopted standard for the motor vehicle workshop industry in Queensland, complying with this code provides the operator with a defence against a charge of unlawfully causing environmental harm and several other charges to the extent the code is relevant.

## 2. Objective of the code

The environmental code of practice aims to:

- describe environmental issues and challenges confronting motor vehicle workshop operations in Queensland
- assist operators to better consider the environment with which they interact
- provide advice to decision-making authorities to enable them to make consistent decisions in respect to motor vehicle workshop operations
- suggest practical measures to minimise environmental and social impacts
- allow industry to establish a benchmark environmental performance
- demonstrate to the community the environmental compatibility of the motor vehicle workshop industry.

## 3. Scope of the code

This environmental code of practice addresses environmental aspects of motor vehicle workshop operations. It does not cover environmental issues to do with planning or construction, and does not cover aspects covered by other legislation such as work health and safety.

The code does not restate any requirements of the *Environmental Protection Act 1994*, nor does it override or replace federal, state or local government legislation, regulation, plans or policies.

This environmental code of practice applies to fixed site motor vehicle workshops operated by a commercial (whether on a commercial basis or in the course of carrying on a commercial enterprise) or government entity. Motor vehicle workshop operations include operating a workshop involving any of the following relating to motor vehicles—

- repairing and maintaining mechanical components, engine cooling radiators or body panels
- spray-painting body panels
- detailing or washing.

## 4. Commencement date

This environmental code of practice commenced on 27 June 2014 and has effect for seven years. To continue to have effect the code of practice must be reviewed and approved by the Minister by 26 June 2021. Industry members are encouraged to provide feedback and to report new initiatives to their associations, so the codes can evolve through each review.

## 5. Authorisation and amendment of the code

Under section 318E(1) of the *Environmental Protection Act 1994*, the Minister may, by gazette notice, make codes of practice stating ways of achieving compliance with the general environmental duty for an activity that causes, or is likely to cause, environmental harm. Once the code has been gazetted it may also be amended by gazette notice.

## 6. Acknowledgement

The department acknowledges the work of the Motor Traders Association of Queensland and the Local Government Association of Queensland in the preparation of this code of practice.

## 7. Using the code of practice

There are a number of environmental risks associated with motor vehicle workshops. These include, but are not limited to:

- the release of harmful airborne contaminants and odours from fuel, paint, solvents and other chemicals that may cause harm to people's health and wellbeing
- contaminated stormwater runoff entering waterways and land
- noise causing a nuisance to nearby sensitive places
- waste that may become litter or contaminant the environment.

The code of practice:

- *gives practical guidance* on how environment best management practice can be achieved in the motor vehicle workshop sector
- *should be followed* unless there is an alternative course of action that achieves the same or a better environmental objective.

### 7.1. Performance outcomes

Performance outcomes are the end result that the operator needs to achieve to meet the 'general environmental duty' described under the *Environmental Protection Act 1994*. There are **4 performance outcomes** in this code of practice:

- there is no discharge to land or water of contaminants that may harm the environment or create a nuisance from the operation of the activity
- there is no discharge to air of contaminants that may harm the environment or create a nuisance from the operation of the activity
- noise nuisance is prevented or minimised at noise sensitive places
- waste production and disposal must be minimised and waste must be managed so it does not harm the environment or create a nuisance from the operation of the activity.

There are a number of suggested control measures to achieve the performance outcome.

### 7.2. Control measures

Control measures are suggested examples which have been provided to help you to achieve the performance outcome. In some cases, a number of compliance control measures may be listed for one process. In these cases, you are advised to aim for the control measure or combination of control measures that is most likely to achieve the performance outcome for that process. Alternatively, you may be able to meet a performance outcome in a manner that is not listed in this code of practice.

If you choose to use your own control measure, you won't get the benefit of the code.

### 7.3. Environmental management plan

An environmental management plan identifies environmental risks caused by the operation and puts activities in place to manage these risks before they result in environmental harm. The performance outcomes and examples for meeting the environmental objectives listed in this document will form a solid basis for creating your management plan.

Developing and following an environmental management plan should ensure:

- all potential environmental risks from the activity are identified and control measures are in place to prevent or minimise the potential for environmental harm
- contingency measures are in place to avoid environmental harm in the event of unforeseen circumstances or natural disasters (e.g. flood)
- staff are trained and aware of their requirements of the *Environmental Protection Act 1994*
- reviews of environmental performance is undertaken periodically
- records monitoring, incidents and complaints are kept.

*By developing and following an **environmental management plan** your business can demonstrate that all reasonable care is being taken to avoid causing environmental harm. Your business will be able to use this reasonable care, or due diligence, as a defence for compliance purposes.*

Historical

## Performance outcome 1:

There is no discharge to land or water of contaminants that may harm the environment or create a nuisance from the operation of the activity.

<b>Releases to land and water</b>  <b>Releases to land and water can be caused by inappropriate storage or use of:</b> <ul style="list-style-type: none"><li>• disinfectants</li><li>• fuels</li><li>• oils</li><li>• detergents</li><li>• poisons</li><li>• cleaning solvents</li><li>• thinners</li><li>• alkaline or acidic solutions</li></ul>	<b>Potential risks and impacts</b> <p>Contaminants can enter the waterways or stormwater drains destroying aquatic life. This can be caused by spills of chemicals and other liquids.</p> <p>Chemical spills and leaks can runoff to land and cause soil contamination.</p>
	<p>✓ Suggested control measures</p> <ul style="list-style-type: none"><li>□ Keep chemicals and other liquids such as fuels, solvents, oils, batteries and coolants within a secondary containment system that is impervious to the materials stored within it, and must be managed to prevent the release of contaminants to waters or land.  Secondary containment may be fixed bunding, self bunding pallets or double skinned containers.</li><li>□ Chemicals and other liquids should be stored and used undercover.</li><li>□ Bunds need to be sized to hold the contents of the largest container stored inside the bund, plus 10% of its volume.</li><li>□ Conduct repairs inside the workshop on a sealed surface drained to an oil/water separator or a tank for collection by a licensed waste contractor.</li><li>□ Under no circumstances should outdoor areas that drain to the stormwater system be hosed down as a means of cleaning.</li><li>□ Any liquids collected in the bunded areas should be treated in an oil/water separator or collected by a licensed waste contractor.</li><li>□ Bunds need to be maintained and regularly checked.</li><li>□ When applicable ensure that drip trays are used under vehicles to catch spent oil, solvents or detergents.</li><li>□ Regularly monitor any underground storage, containers and transfer equipment to detect leakage.</li><li>□ Keep an appropriate number of spill kits and personal protective equipment in clearly identified locations and ensure staff know how to use it.</li><li>□ Clean stormwater should be diverted away from areas that could potentially be contaminated.</li><li>□ Washing and cleaning of vehicles, parts and equipment must take place in an area (i.e. wash bay)</li></ul>

that is either connected to the sewer under a trade waste agreement or fitted with a water treatment and recycling system or stored and collected by a licensed waste transporter.

- If a separator is used to manage wastewater, ensure it is serviced regularly and a log is kept of services.
- Clearly mark all drains on the site that are connected to the stormwater system. This will ensure everyone is aware that 'the stormwater drain is just for rain'.

Historical

## Performance outcome 2:

There is no discharge to air of contaminants that may harm the environment or create a nuisance from the operation of the activity.

<h3>Releases to air</h3> <p>Releases to air can be caused by the use of:</p> <ul style="list-style-type: none"><li>• paints</li><li>• powder coatings</li><li>• surface preparation products</li><li>• paint stripper</li><li>• finishers</li><li>• solvents</li><li>• thinners</li></ul>	<h3>Potential risks and impacts</h3> <p>Dust, offensive odours and toxic vapours from spray painting and surface preparation can affect the environment and enter neighbouring properties causing nuisance.</p> <p>✓ Suggested control measures</p> <ul style="list-style-type: none"><li><input type="checkbox"/> All panel beating work is conducted inside the workshop or in an undercover area.</li><li><input type="checkbox"/> Ensure spray painting of vehicles and vehicle parts is conducted inside an Australian Standard Spray Painting Booth or a well-ventilated enclosed area.</li><li><input type="checkbox"/> Ensure spray booth filters are regularly maintained.</li><li><input type="checkbox"/> Control dust by setting up an effective dust extraction and filtration system at locations where dust is generated.</li><li><input type="checkbox"/> Regularly clean workshop floors to keep dust levels to a minimum and do not clean the floor by blowing with compressed air</li><li><input type="checkbox"/> Ensure sanders have dust vacuums.</li><li><input type="checkbox"/> Mix paints in a room with a filtered exhaust.</li><li><input type="checkbox"/> Direct exhaust fumes away from neighbouring properties.</li><li><input type="checkbox"/> Ensure volatile liquids such as solvents are stored in containers with lids and taps for dispensing.</li><li><input type="checkbox"/> If decommissioning air conditioning systems, an ARCTick licence is held by the business and relevant technicians.</li></ul>
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## Performance outcome 3:

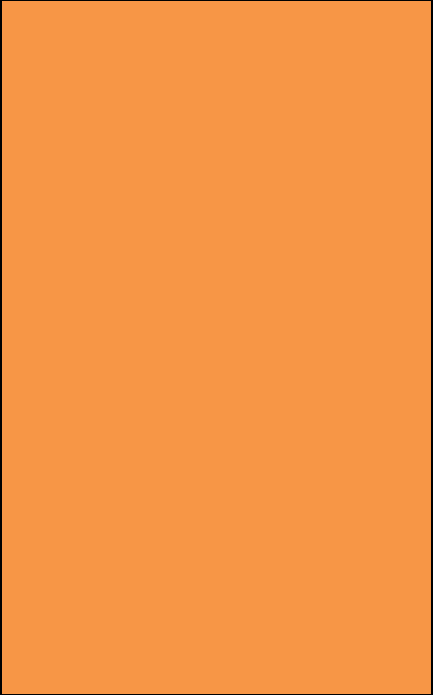
Noise nuisance is prevented or minimised at noise sensitive places.

<h3>Noise</h3> <p><b>Major noise sources at motor vehicle workshops include:</b></p> <ul style="list-style-type: none"><li>• pneumatic tools</li><li>• engine testing equipment</li><li>• compressors</li><li>• grinders</li><li>• drills</li><li>• public address systems</li></ul>	<h3>Potential risks and impacts</h3> <p>Noise from motor vehicle workshops can create a nuisance to nearby sensitive receptors.</p> <p>✓ Suggested control measures</p> <ul style="list-style-type: none"><li>□ Limit work hours to prevent audible noise at noise sensitive places in the evening, night and early morning.</li><li>□ Locate equipment that generates high levels of noise away from noise sensitive land uses.</li><li>□ Fit noise reduction mechanisms to equipment and machinery where possible.</li><li>□ Reduce the amount of noise and vibrations from mechanical equipment by:<ul style="list-style-type: none"><li>○ mounting on individual foundations/mounts designed to isolate structure-borne vibration and noise</li><li>○ mounting on rubber mats</li><li>○ increasing mass weight of equipment.</li></ul></li><li>□ Fit mechanical ventilation systems with noise-proof ducting and acoustically designed intake and exhaust openings.</li><li>□ Provide noise barriers such as acoustic screens (fixed or mobile) around activities that may create environmental harm or nuisance. Vegetation screens can also assist with noise reduction.</li></ul>
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## Performance outcome 4:

Waste production and disposal must be minimised and waste must be managed so it does not harm the environment or create a nuisance from the operation of the activity.

<p><b>Waste</b></p> <p><b>Regulated waste includes:</b></p> <ul style="list-style-type: none"><li>• oily rags</li><li>• oil filters</li><li>• waste oils</li><li>• solvents</li><li>• coolant</li><li>• caustic</li><li>• brake fluid</li><li>• fuel</li><li>• batteries</li><li>• tyres</li></ul> <p><b>General waste includes:</b></p> <ul style="list-style-type: none"><li>• radiator cores and parts</li><li>• cardboard</li><li>• packaging</li><li>• brake and clutch parts</li><li>• steel drums</li><li>• steel and aluminium cans</li><li>• glass</li><li>• scrap metal</li><li>• plastics</li></ul>	<p><b>Potential risks and impacts</b></p> <p>Waste, when not properly managed, can cause littering and contamination of land and water.</p> <p>Sending waste to landfill has significant environmental impacts from transporting the waste for disposal, to potential leachate, odour and greenhouse gas emission impacts.</p> <p>Producing waste has impacts from extracting resources through to disposal in landfill.</p> <hr/> <p>✓ Suggested control measures</p> <ul style="list-style-type: none"><li>□ All waste materials should be reused, recycled or taken to a waste disposal facility that can lawfully receive them.</li><li>□ Segregate recyclable wastes for collection by waste recyclers or lawful disposal.</li><li>□ Ensure waste tyres are collected for recycling where available.</li><li>□ Metals, such as lead, copper and steel, should be stored in a secure container for collection by a metal recycler.</li><li>□ Waste is not disposed of by burning.</li><li>□ Ensure regulated wastes are separated and removed for disposal by a licensed waste transporter.</li></ul> <p>Regulated wastes include, but are not limited to:</p> <ul style="list-style-type: none"><li>○ coolant</li><li>○ waste oil</li><li>○ oily rags</li><li>○ caustic</li><li>○ solvents</li><li>○ brake fluid</li><li>○ fuel</li><li>○ workshop sweepings</li><li>○ spill products</li><li>○ oil filters</li><li>○ spent abrasive material</li><li>○ containers and rags contaminated with chemicals such as oil and paint</li></ul>
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- Clearly label waste containers for segregated wastes and locate them in easy access areas to encourage use.
  - Undertake regular housekeeping to ensure wastes are placed in their appropriate place and removed when required.
  - Retain documentation relating to the removal and disposal of all types of waste.
  - Reclaimed refrigerants are removed for appropriate disposal by a licenced company.
  - Place only dry solid wastes in your industrial waste bin. Do not put liquid or hazardous waste in your general waste bin.
  - Store waste under cover or within a waterproof bin or container in a way that prevents the waste washing or blowing away.

Historical

## Appendix 1: General obligations under the *Environmental Protection Act 1994*

### General environmental duty

The *Environmental Protection Act 1994* section 319 states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonable and practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to think about these issues:

- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

It is not an offence not to comply with the general environmental duty however maintaining your general environmental duty is a defence against the following acts:

- an act that causes serious or material environmental harm or an environmental nuisance
- an act that contravenes a noise standard
- a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG.

### Duty to notify

The duty to notify (section 320 of the *Environmental Protection Act 1994*) requires a person or company to give notice where serious or material environmental harm is caused or threatened to occur. Notice must be given of the event, its nature and the circumstances in which the event happened. Notification can be verbal, written or by public notice depending on who is notifying and being notified.

For more information on the duty to notify requirements refer to the guideline 'The duty to notify of environmental harm' (EM467)<sup>1</sup>.

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<sup>1</sup> Available at [www.qld.gov.au](http://www.qld.gov.au), using the publication number EM467 as a search term.

## **Relevant offences under the *Environmental Protection Act 1994***

### 1. Causing serious or material environmental harm (sections 437-439)

Material environmental harm is environmental harm that is not trivial or negligible in nature. It may be great in extent or context or it may cause actual or potential loss or damage to property. The difference between material and serious harm relates to the costs of damages or the costs required to either prevent or minimise the harm or to rehabilitate the environment. Serious environmental harm may have irreversible or widespread effects or it may be caused in an area of high conservation significance. Serious or material environmental harm excludes environmental nuisance.

### 2. Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

### 3. Contravening a noise standard (section 440Q)

Noise standards are set in sections 440R-440ZC for operating a variety of noisy equipment including air conditioners, compressors, generators, electrical, mechanical or pneumatic power tools. It requires that noise from the equipment cannot be clearly heard by an occupier of an affected building during the evening and early morning.

### 4. Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the Environmental Protection Regulation 2008. It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

### 5. Placing a contaminant where environmental harm or nuisance may be caused (section 443).

## **Relevant offences under the *Waste Reduction and Recycling Act 2011***

### 1. Littering (section 103)

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. Litter can also be an abandoned vehicle. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

### 2. Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 litres or more) at a place.

## Appendix 2: Other resources

### Green stamp

The Green Stamp Program is an environmental initiative developed for the automotive industry. The program assists small to medium businesses in the automotive trades to incorporate processes and practices that allows them to dispose of their wastes in an environmentally sensitive manner. It also aims to assist businesses in the industry to become resource efficient and more environmentally sustainable.

The program has identified and focused on several key areas considered essential in reducing the environmental impact of the automotive industry. These areas include:

- storage practices associated with chemicals and other hazardous substances
- pre-treatment of wastewater from the workshop prior to approved disposal
- spill management to prevent pollution of ground and stormwater systems
- correct disposal of waste products
- air quality management
- energy and resource conservation
- the development and implementation of environmental management plans.

For further information contact the Motor Traders Association of Queensland on 3237 8777 or [info@mtaq.com.au](mailto:info@mtaq.com.au).

### Pollution solutions

In July 2000, Brisbane City Council and industry jointly developed the operator's environmental guide 'Pollution solutions for motor service industries' to assist the motor vehicle industries to achieve their general environmental duty. Though dated in some areas, it includes useful information on the operation of motor vehicle workshops. It is available at [www.lgag.asn.au](http://www.lgag.asn.au).

### EcoBiz

EcoBiz is a free program that aims to assist businesses reduce their water, waste and power costs. The program is delivered through the Chamber of Commerce & Industry Queensland (CCIQ).

To find out the program and gain access to tools and resources visit the CCIQ ecoBiz Queensland website at [www.cciqecobiz.com.au](http://www.cciqecobiz.com.au).

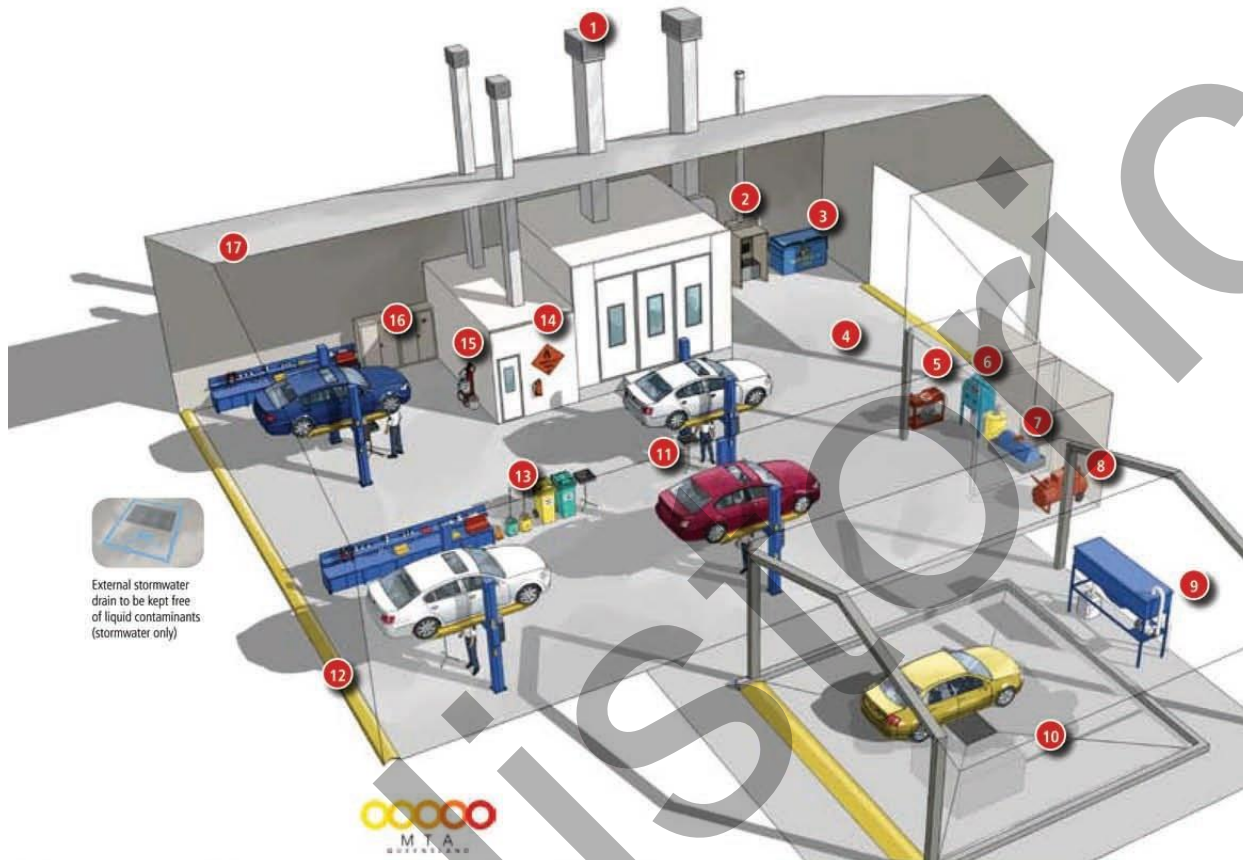
### Toolbox

The following artist's impression of a motor vehicle workshop was developed by the Motor Trades Association Queensland, Queensland local governments and the Council of Mayors (South East Queensland). The diagram is for information only and does not accurately reflect the suggested control measures for the performance outcomes.

For queries about this diagram (including copyright use), please go to [www.lgtoolbox.qld.gov.au](http://www.lgtoolbox.qld.gov.au).

# Artist impression

## Standards for the operation of a motor vehicle workshop



- 1 Exhaust and ventilation stacks to spray booth, see over
- 2 Radiator repair spray booth
- 3 Industrial waste bin with lid and with sealed drainage holes. Stored inside workshop (optional). For regulated wastes, see over
- 4 Workshop floor sealed and impervious
- 5 Dry rubbing vacuum sander, see over
- 6 Abrasive blasting unit, see over
- 7 Liquid waste storage, see over
- 8 Air compressor separated/enclosed to prevent noise nuisance
- 9 Oil separator, see over
- 10 Vehicle wash down bay, see over
- 11 Drip tray used under vehicles to catch oil and other liquid contaminants
- 12 All workshop entrances bunded to prevent contaminants escaping workshop and entering stormwater system
- 13 Emergency spill kit, see over
- 14 Fire safety equipment and signage to comply with relevant legislation and standards
- 15 Air conditioning charge / recovery unit, see over
- 16 Storage of flammable and combustible liquids to comply with relevant legislation and standards. Material Safety Data Sheet (MSDS) documentation stored onsite for certain chemicals and other liquids
- 17 All works undertaken in covered workshop.

## Protect air quality

Reclaim refrigerant gases rather than discharge to atmosphere

Air conditioning system repairs and services only conducted by accredited service person



Dry Rubbing - vacuum sanders used to prevent dust nuisances and stormwater contamination



Enclosed abrasive blasting unit contains all waste residues to prevent nuisances and stormwater contamination

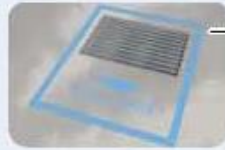


Ventilation / discharge stacks separated and located to relevant standards

Paint storage and paint mixing in well ventilated room

All spray painting conducted in fully enclosed booth with exhaust fan and suitable filtration system

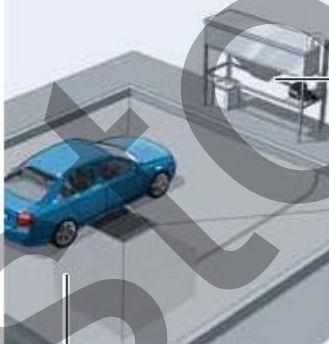
## Protect stormwater and local waterways



External stormwater drain to be kept free of liquid contaminants. Stormwater only



Spill clean-up equipment, mops, buckets and absorbent materials for accidental spillage of contaminants



Oil separator / interceptor (optional)

- all liquid waste is treated before discharged to sewer
- connected to underground holding tank
- check with Council for trade waste permit requirements

Vehicle washing and/or wet rubbing area:

- located in a covered and impervious area
- bunded to prevent release of waste water and detergents
- bund is either permanent or temporary for collecting liquid waste
- drained to holding tank (optional)
- all liquid waste can be disposed by a approved waste collector (optional)
- waterwise tip: use of rain water for vehicle washing to reduce water usage costs (optional)

## Waste storage and management



Drained used oil filters stored for recycling / disposal



Kero parts washer. Liquid wastes from parts washing stored in bund to prevent stormwater contamination



Waste oil stored in bund for collection by approved waste recycler



Liquid contaminants (eg. oil, coolant, solvents) stored in bund to contain spillage and prevent contamination of waterways



Regulated waste (eg. oils, batteries, acids, tyres, solvents, paint sludge, other auto parts and residues) stored undercover and to be collected by an approved transporter / recycler

Tyres stored undercover

Batteries stored undercover and in a spill tray