Permit

Environmental Protection Act 1994

Environmental authority EA0002529

This environmental authority is issued by the administering authority under Chapter 5 of the *Environmental Protection Act 1994.*

Environmental authority number: EA0002529

Environmental authority takes effect on the date of the delegate's approval.

The anniversary day of this environmental authority is the day of approval. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 March.

Environmental authority holder(s)

Name(s)	Registered address
QUEENSLAND SUGAR LIMITED	Ibm Building, Suite 1 Level 12, 348 Edward St BRISBANE CITY QLD 4000 Australia ACN: 090 152 211

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 50 - Mineral and bulk material handling 2: Loading or unloading 100t or more of bulk materials in a day, other than loading or unloading mentioned in item 3, or storing bulk materials	LOT 58 on SP310559
ERA 50 - Mineral and bulk material handling 2: Loading or unloading 100t or more of bulk materials in a day, other than loading or unloading mentioned in item 3, or storing bulk materials	Lot 10 on SP258646
ERA 50 - Mineral and bulk material handling 2: Loading or unloading 100t or more of bulk materials in a day, other than loading or unloading mentioned in item 3, or storing bulk materials	LOT 63 on SP143358

Queensland Government

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or

b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or

c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.



Liz Clarke
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 27 October 2020

Enquiries:
Heritage, Utilities and Government Assessment
Department of Environment and Science

Phone: 1300 130 372
Email: palm@des.qld.gov.au

Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site.

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

Environmentally relevant activity	Location
ERA 50 Mineral and bulk material handling, Threshold 2 – loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials	Mackay Port, Mackay QLD 4740**;** Lot 10 SP258646, Lot 58 SP310559 and Lot 63 SP143358.

The environmentally relevant activity conducted at the locations as described above must be conducted in accordance with the following site specific conditions of this environmental authority.

Agency interest: General	
Condition number	**Condition**
G1	Activities able to be conducted under this environmental authority are: a) Operating a 36ML (50,000 tonne) molasses storage bladder.
G2	All reasonable and practicable **measures** must be taken to minimise the likelihood of environmental harm being caused.
G3	Any breach of a condition of this environmental authority must be reported to the administering authority within 24 hours of becoming aware of the breach and record full details of the breach and any subsequent actions.
G4	All information and records that are required by the conditions of this environmental authority must be kept for a period of at least 5 years.
G5	An **appropriately qualified person(s)** must monitor, interpret and record all parameters that are required to be monitored.
G6	If you become aware of any adverse impact on an **environmental value** you must notify the **administering authority** in writing of the full details of the adverse impact within 24 hours of becoming aware of the impact.
Agency interest: Air	
Condition number	**Condition**
A1	Odours or airborne contaminants which are **noxious** or **offensive** or otherwise unreasonably disruptive to public amenity or safety must not be released to any **nuisance sensitive place** or **commercial place**.
Agency Interest: Water	
Condition number	**Condition**

<table>
<tr><td>WT1</td><td>Other than as permitted within this authority, contaminants must not be released from the site to any waters or the bed and banks of any waters.</td></tr>
<tr><td>WT2</td><td>The only contaminants to be released to surface waters are stormwater in accordance with Table 6 – Surface water release limits and the associated requirements.

Table 6 – Surface water release limits
<table>
<tr><th>Release point</th><th>Quality Characteristic (units)</th><th>Minimum</th><th>Maximum</th></tr>
<tr><td>Release to stormwater drain</td><td>Dissolved Oxygen (DO)</td><td>5mg/L</td><td>-</td></tr>
<tr><td>Release to stormwater drain</td><td>pH</td><td>6.5</td><td>8.5</td></tr>
</table></td></tr>
<tr><td colspan="2">Agency interest: Waste</td></tr>
<tr><td>Condition number</td><td>Condition</td></tr>
<tr><td>WS1</td><td>Only remove waste from the site by using a transporter lawfully able to transport it and to a place lawfully able to receive it.</td></tr>
<tr><td colspan="2">Agency interest: Land</td></tr>
<tr><td>Condition number</td><td>Condition</td></tr>
<tr><td>L1</td><td>Contaminants must not be released to land.</td></tr>
<tr><td>L2</td><td>Before surrendering this environmental authority, the site must be rehabilitated to achieve a safe, stable, non-polluting landform.</td></tr>
</table>

Definitions

Key terms and/or phrases bolded in this environmental authority are defined in this section. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Heritage Protection or its successor or predecessors.

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

Boundary means within one metre of the cadastral boundary of the site.

Commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place

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

a) Aerosols fumes, light, noise, odour, particles or smoke; or

b) An unhealthy, **offensive** or unsightly condition because of contamination; or

c) Another way prescribed by regulation.

Environmental value (the Act) is –

a) A quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or

b) Another quality of the environment identified and declared to be an **environmental value** under an environmental protection policy or regulation.

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

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

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

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

Sensitive place includes —

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or

2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992,* the *Marine Parks Act 1992* or a World Heritage Area; or
6. a public thoroughfare, park or gardens; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

You means the holder of the environmental authority.

END OF ENVIRONMENTAL AUTHORITY