

Permit

Environmental Protection Act 1994

Environmental authority EPPR00395813

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

Environmental authority number: EPPR00395813

Environmental authority takes effect on the 1 April 2020.

Environmental authority holder(s)

Name	Registered address
Far North Queensland Ports Corporation Limited	Cnr Grafton & Hartley Street CAIRNS QLD 4870

Environmentally relevant activity and location details

Environmentally relevant activity	Location
ERA 16(1c) Dredging >100,000t but <1,000,000t yr	Port of Cairns Lot 773 Plan SP218291, Lot 808 Plan SP122861, Lot 16 Plan SP199206, Lot 15 Plan SP214821, Lot 807 Plan SP199206, Lot 40 Plan SP113657, Lot 41 Plan SP113657 and Lot 771 Plan SP113657 and adjoining water within the Port of Cairns Strategic Port Land Tidal Area, As described under the <i>Transport Infrastructure Act 1994</i>

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 approval 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.

Amanda Gray
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Coastal and Marine Assessment
Department of Environment and Science
Phone: 1300 130 372
Email: palm@des.qld.gov.au

Date issued: 01 April 2020

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)

Conditions of environmental authority

Agency interest: General	
Condition number	Condition
G1	This development permit attaches to the part of the port area in Schedule 1 – Approved Plans
G2	This development permit authorises ERA 16 (dredging) that is for maintenance work on lawful work as specified in Schedule 1 – Approval Plans
G3	The port authority of the port area to which this permit attaches must maintain direction of any operator carrying out an activity authorised by this permit
G4	The operator must ensure that environmental harm is not caused by this ERA except where specifically permitted by a condition of this development permit.
G5	The operator must: • Install all measures, plant and equipment necessary to ensure compliance with the conditions of this development permit. • Maintain and calibrate such measures, plant and equipment in an efficient condition and keep records of the maintenance • Operate such measures, plant and equipment in an efficient manner.

G6	The operator must implement an integrated environmental management system (IEMS) from (the commencement of this ERA or specified date). The IEMS must identify all cause of environmental harm, including but not limited harm and the actions that will be taken to prevent environmental harm being caused. The IEMS must be made available to the Administering Authority when requested. The IEMS must achieve the following outcomes: • Material intended to be dredged under this permit is tested and analysed in accordance with the latest version of the National Assessment Guidelines for Dredging 2009 • Significant and sensitive receptors (including for example wetland and ecosystem features) in the port area are identified and mapped • Environmental aspects and potential impacts are identified • Control measures that minimise the potential for environmental harm are in place • Contingency plans and emergency procedures are in place • Organisational structures, accountability and responsibility is recorded • Arrangements for effective communication are documented and undertaken • All contaminant releases are monitored • Staff are trained and aware of the requirements of this permit • Appreciate records are kept • Reviews of environmental performance
G7	The IEMS must not be implemented or amended in a way that contravenes any condition of this development permit.
G8	The operator must implement a monitoring plan that complies with the latest versin of the Administering Authority's Water Quality Sampling Manual from the commencement of this ERA. The monitoring plan must achieve the following outcomes: • Long-term ecological impacts associated with dredging operations are monitored • Compliance with the conditions of this development permit it monitored • Operations are adjusted in response to monitoring results to ensure compliance with development permit conditions.
G9	The monitoring plan must include (But not be limited to) the following: • A description of the dredge equipment to be used, including the discharge points for turbid waters • A plan of the lawful disposal of the dredging material • A list of environmental values located within and adjacent to the dredge operation • The methods for collection and analysis of the samples (including specific areas to be monitored, when monitoring is to be undertaken and duration of monitoring). • The methods of analysing the data and responding to the results.
G10	The monitoring plan and monitoring results must be made available to the administering authority upon request.

G11	Monitoring must be done by a competent person in accordance with methods set out in the latest version of the administering authority's water quality sampling manual.
G12	The operator must maintain a record of sites where dredging is carried out (specifying the boundaries of the dredging area by GPS coordinates) and the volume of material removed from each site (to the nearest tonne), and submit these records to the port authority.
G13	The port authority must maintain in records all documents or information provide under condition G12 and all monitoring results required by this permit.
G14	All records required by this permit must be kept for five years and be made available to the administering authority upon request.
G15	The port must record the following details for all complaints received and provide to the administering authority upon request: • Time, date, name and contact details of the complainant • Reasons for the complaint • Details of investigation undertaken by the port authority • Conclusions formed • Actions taken to resolve the complaint
G16	Any incident of environmental harm (Including a reasonable suspicion that environmental harm has or is likely to have occurred) outside the lawful work as specified in condition must be reported as soon as practicable to the relevant administering authorities regional office.
A1	The release of airborne contaminants from the activity must not cause environmental nuisance.
N1	Noise from the activity must not cause environmental nuisance.
W1	Contaminants must not be directly or indirectly released to waters other than wastewater released from the discharge point during the loading and unloading of dredge spoil.
W2	In carrying out the ERA, the release of contaminants (including any release caused by extraction of material from the bed of waters) must: • Only occur within the permitted areas specified in condition G2 • Not have any properties which are capable of causing environmental harm • Not produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum, litter or other objectionable matter Be carried out taking all practical measures necessary to minimise the concentration of suspended solids released during the loading and pump-out of the vessel.

W3	Any dredging must be conducted using equipment that is in survey and registered and, in relation to environmental performance, is equal to or better than the following equipment: Trailing Suction Hopper Dredge that is equipped, as a minimum, with: • Below keel discharge of tail waters via an anti-turbidity control valve • On-board systems for determining solids to water ratio or density of dredged material • Electronic positioning and depth control system for defining the location and depth of dredging activities • Dredge heads and depth control capable of, and where appropriate, fitted with fauna exclusion devices (e.g. turtle deflectors). Cutter Suction Dredge that is equipped, as a minimum, with: • Electronic positioning and depth control system for defining the location and depth of dredging activities • Continuous delivery connection (e.g. floating or submerged pipeline) to an approved placement site • A system or process to ensure the delivery system integrity is maintained at all times • Systems for determining solids to water ratio or density of dredged material during operations. Grab Dredge that is equipped, as a minimum, with: Electronic positioning system for defining the location and depth of dredging activities.
W4	Dredging must not start until provision has been made to lawfully place or dispose of the dredge material. Evidence of applicable approvals must be made available to the administering authority when requested.
W5	Material dredged under this permit must not be placed at sea except at a place authorised under an authority, licence or other permit issued by either or both the Commonwealth or Queensland governments to receive the dredged material.

Definitions

Key terms and or phrases used in this document are defined in this section. Applicants should note that 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.

'Administering authority' means the Department of Environment and Science or its successor.

'Dredging' includes extraction of mud, sand, coral, ballast, shingle, gravel, clay, earth and other materials from bed of Queensland tidal and non-tidal waters. Dredging does not include the banks of a waterway.

"Lawful work" means work in accordance with a development permit, For the purposes of this guideline and model conditions, lawful work is limited to the following work:

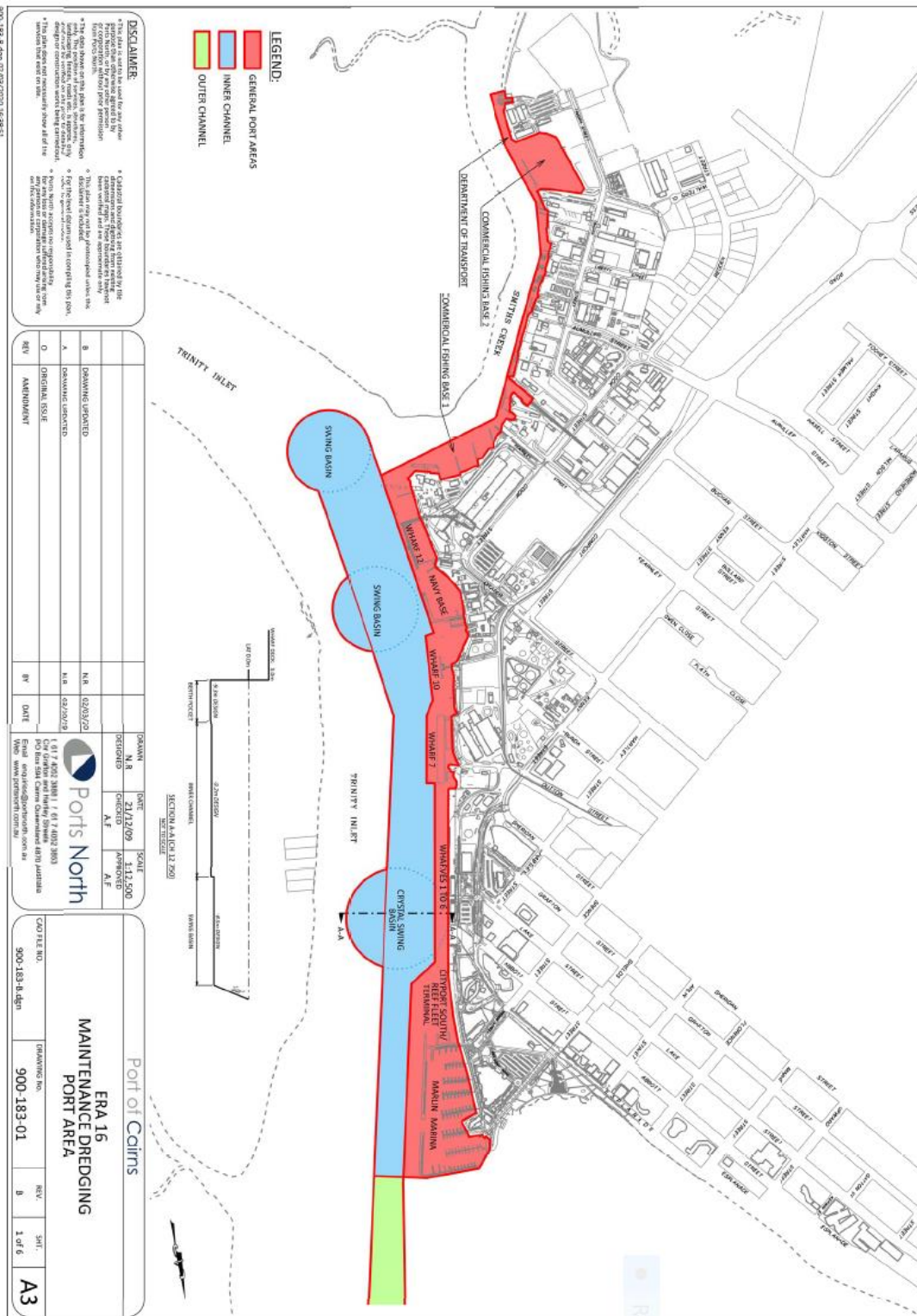
- Berth pockets and approach and departure aprons
- Navigation channels
- Swing basins

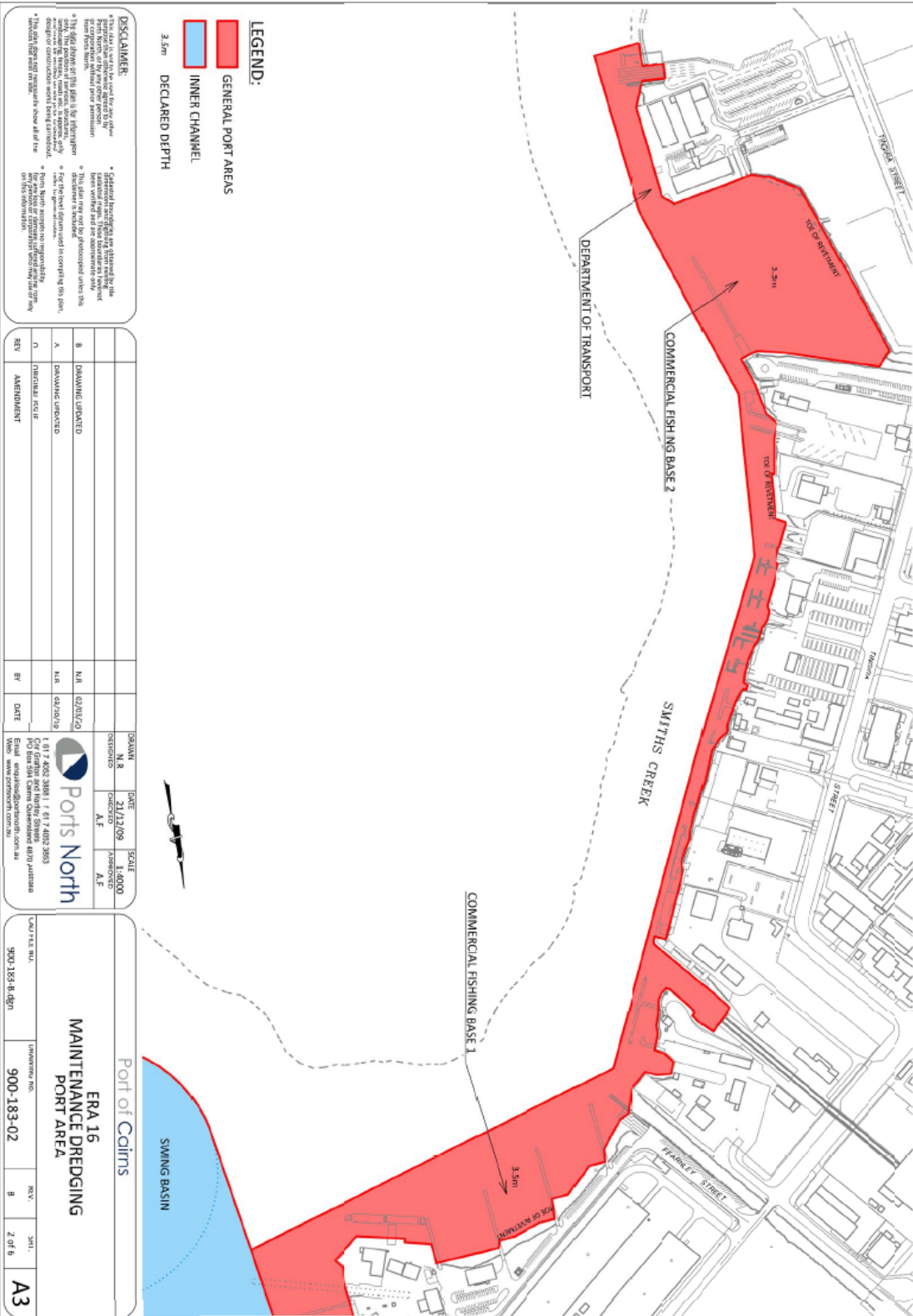
"Integrated Environmental Management System" for an environmentally relevant activity or activities means a system for the management of the environmental impacts of the carrying out of the activity or activities.

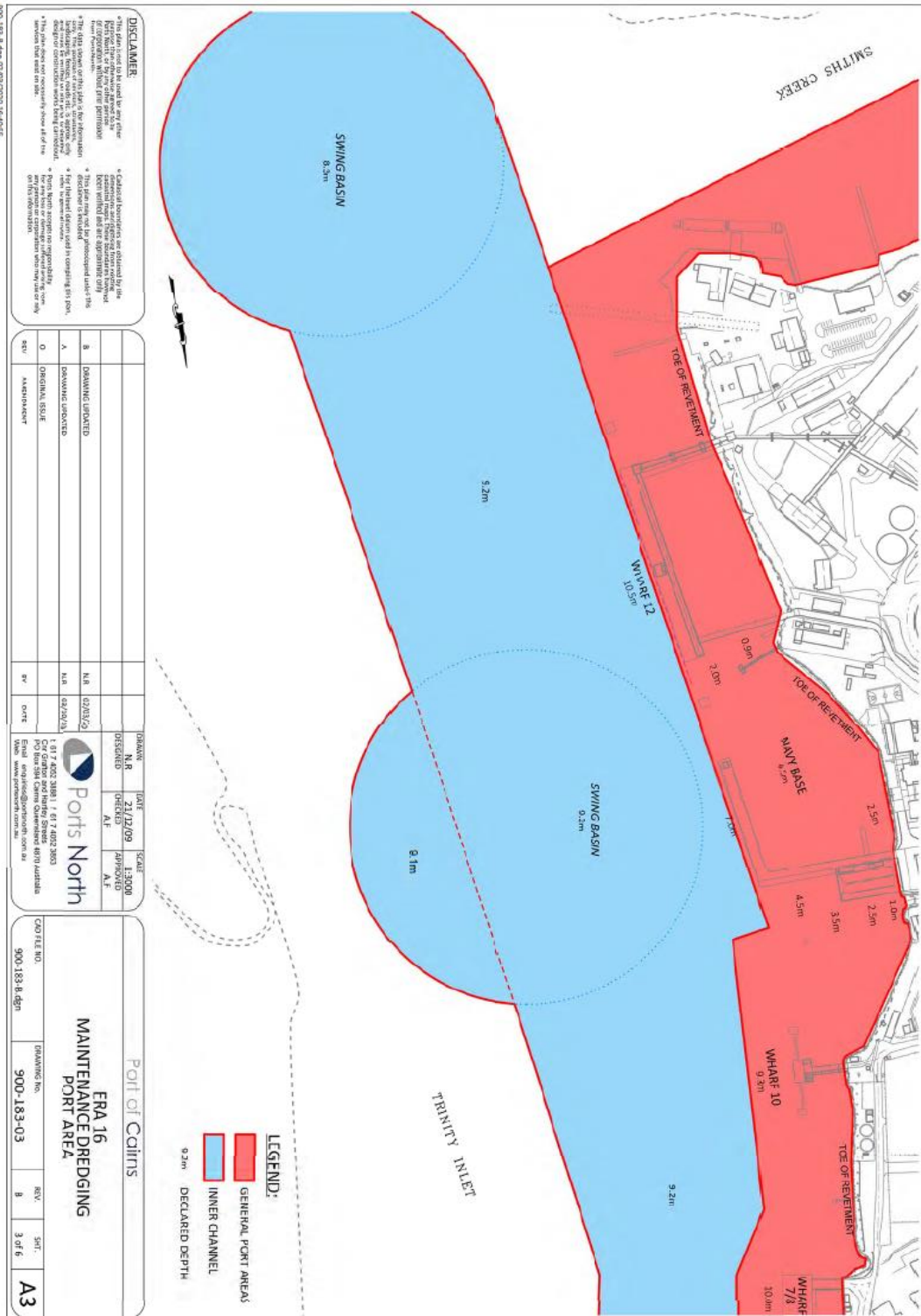
"Maintenance work on lawful work" means maintaining works in accordance with the environmental authority.

END OF PERMIT

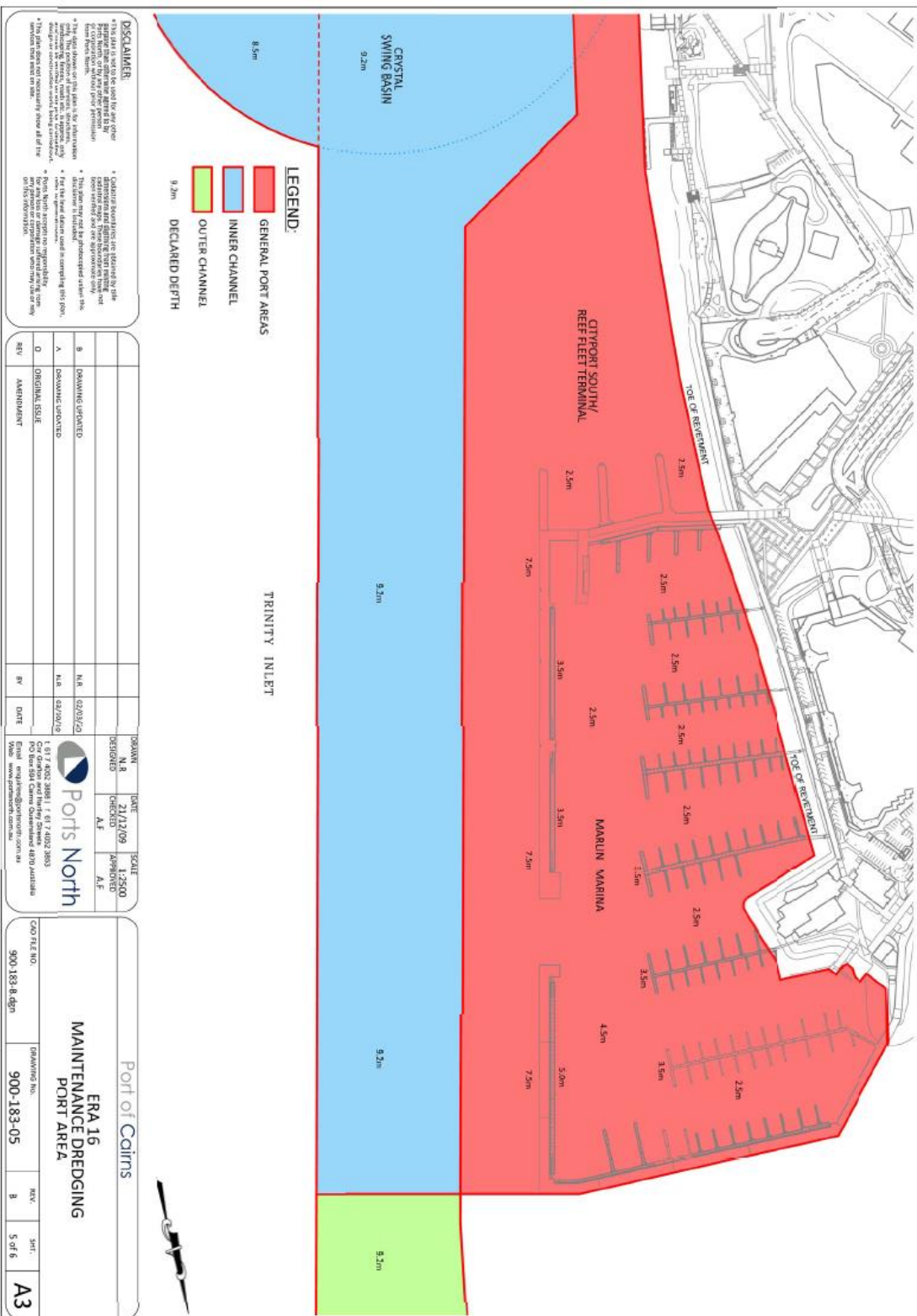
Schedule I—Approved Plans

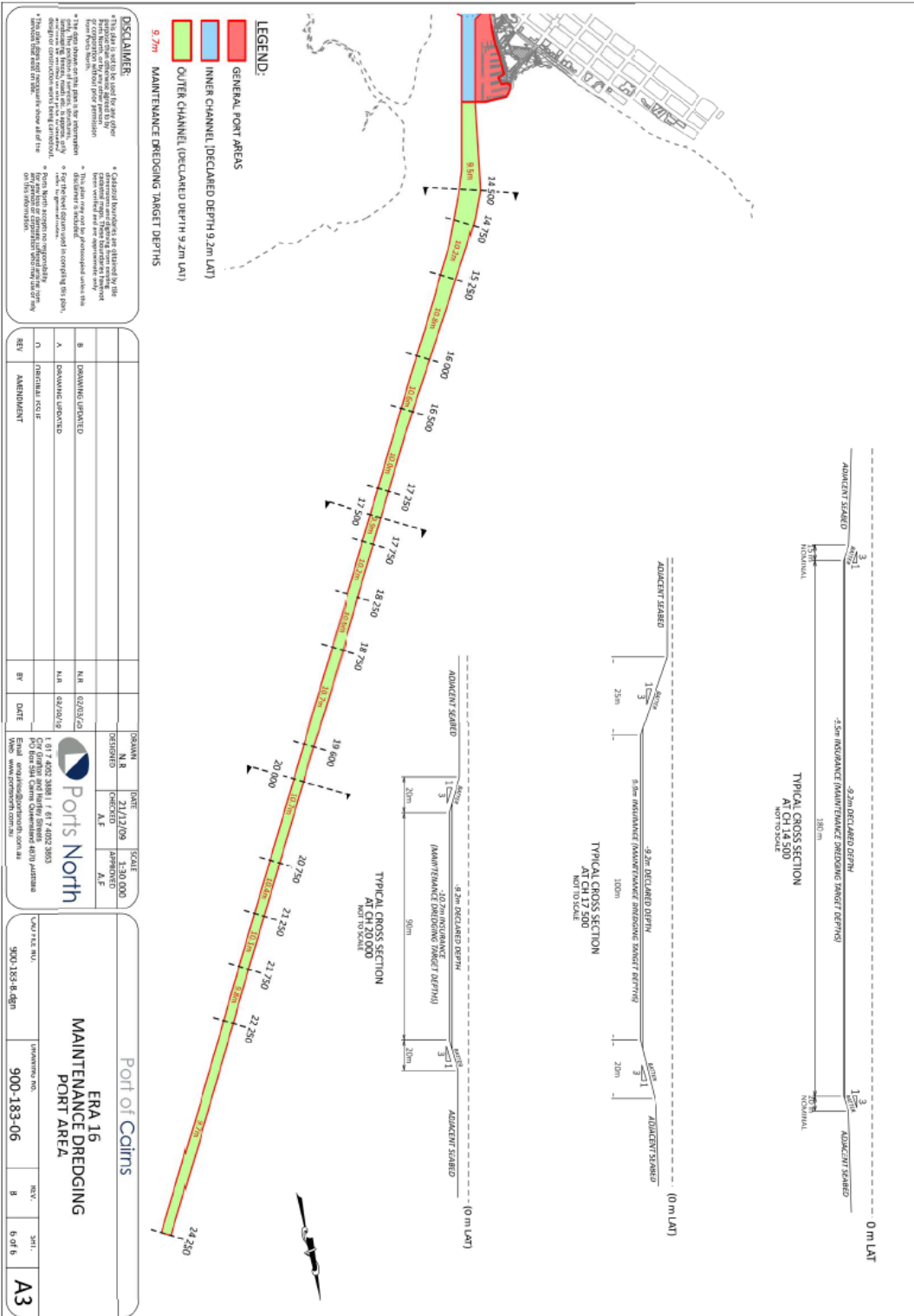












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