Permit[1]

Environmental Protection Act 1994

Environmental authority

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

Permit[1] number: EPPR00642013

Environmental authority takes effect 26 August 2014

The anniversary date of this environmental authority is the 20 November. An annual return and the payment of the annual fee which is currently $16,680.50 will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
GrainCorp Operations Ltd	Level 26 175 Liverpool Street SYDNEY SOUTH NSW 2000

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16-(3a) Screening >5000t but <100000t yr 50-(2) Bulk material handling >100t day 8-(3a) Chemical storage >10m3 but <500m3 class C1 or C2	George Bell Drive and Outer Habour MACKAY QLD - Lot 58 Plan SP123751 Mackay Harbour Graincorp - Lot 63 Plan SP143358

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority 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 environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

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

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

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 if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.

K M Clarke	25 August 2014
Signature	Date

Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
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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

Environmentally relevant activity(ies)	**Location(s)**
16-(3a) Screening >5000t but <100000t yr 50-(2) Bulk material handling >100t day 8-(3a) Chemical storage >10m3 but <500m3 class C1 or C2	George Bell Drive and Outer Habour MACKAY QLD - Lot 58 Plan SP123751 Mackay Harbour Graincorp - Lot 63 Plan SP143358

The environmentally relevant activity(ies) conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	**Condition**
G1	A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the **activity**.
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** as soon as practicable, or at most, within 24 hours of **you** becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions undertaken.
G4	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.

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G5	All information and records that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. Environmental monitoring results must be kept until surrender of this environmental authority. All information and records required by the conditions of this environmental authority must be provided to the **administering authority** upon request.
G6	An **appropriately qualified person(s)** must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.
G7	When required by the **administering authority**, monitoring must be undertaken in the manner prescribed by the **administering authority**, to investigate a complaint that is not considered by the **administering authority** to be frivolous or vexatious, of **environmental nuisance** arising from the **activity**. The monitoring results must be provided to the **administering authority** upon request.
G8	The **activity** must be undertaken in accordance with written procedures that: 1. identify potential risks to the environment from the **activity** during routine operations, closure and an emergency 2. establish and maintain control **measures** that **minimise** the potential for **environmental harm** 3. ensure plant, equipment and **measures** are maintained in a proper and effective condition 4. ensure plant, equipment and **measures** are operated in a proper and effective manner 5. ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994* 6. ensure that reviews of environmental performance are undertaken at least annually.
G9	All complaints received by the holder of this environmental authority relating to releases of **contaminants** from operations at the licensed place must be recorded and kept with the following details: 1. time, date and nature of complaint 2. type of communication (telephone, letter, personal etc) 3. (c) name, contact address and contact telephone number of complainant (Note if the complainant does not wish to be identified then "Not Identified" is to be recorded) 4. (d) response and investigation undertaken as a result of the complaint 5. (e) name of person responsible for investigating the complaint 6. (f) action taken as a result of the complaint investigation and signature of responsible person.
G10	Storage of **chemicals** and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents **environmental harm**.

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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 cause nuisance to any **sensitive place** or **commercial place**.
A2	As soon as practical after unloading to or loading from stockpiles of sorghum, fertiliser or magnetite, impermeable tarpaulins must be put in place to cover the product stockpiles.
Agency interest: Water	
Condition number	**Condition**
WT1	The only **contaminants** to be released to surface **waters** are settled treated stormwater runoff **waters** from areas of the site not likely to be contaminated with materials associated with the **activity**.
WT2	Stormwater contaminated by the **activity** must be managed to **minimise** or prevent any adverse impacts on the values of the receiving environment.
WT3	In addition to WT1, the release to **waters** must not: 1. have any other properties at a concentration that is capable of causing **environmental harm** 2. produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum, litter or other visually objectionable matter.
WT4	Erosion and sediment control **measures** must be implemented and maintained to **minimise** erosion and the release of sediment.
WT5	If rain commences during loading or unloading to stockpiles of sorghum, fertiliser or magnetite, the loading or unloading operations must be ceased as soon as is practical and impermeable tarpaulins put in place to cover the product stockpiles.

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Agency interest: Noise	
Condition number	**Condition**
N1	The **activity** must not cause audible noise • on a business day or Saturday, before 7.00am or after 7.00pm • on any other day, before 8.00am or after 7.00pm at any of the following places: • a dwelling, mobile home or caravan park, residential marina, motel, hotel or hostel or other residential premises • a kindergarten, school, university, library, childcare centre or other educational institution • a medical centre or hospital.

Agency interest: Land	
Condition number	**Condition**
L1	**Contaminants** must not be released to **land** from the **activity**.
L2	Acid sulfate soils, acid producing rock and marine sediments must not be processed.

Agency interest: Waste	
Condition number	**Condition**
WS1	All waste generated in carrying out the **activity** must be reused, recycled or lawfully disposed of offsite.

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Definitions

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. 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.

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 matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

Chemical(s) as defined in Schedule 12, Part 2 of the *Environmental Protection Regulation 2008*.

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.

Contaminant(s) as defined in Schedule 11 of the *Environmental Protection Act 1994*.

Environmental harm as defined in Section 14 of the *Environmental Protection Act 1994*.

Environmental nuisance as defined in Section 15 of the *Environmental Protection Act 1994*.

Land means land excluding water and the atmosphere. Land includes land on the authorised place.

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

Minimise means to minimise by taking all reasonable and practical measures to minimise the adverse effect having regard to the following matters:

- 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 different measures that might be taken to minimise the adverse effects
- the financial implications of the different measures as they would relate to the type of activity
- if the adverse effect is caused by the location of the activity being carried out, whether it is feasible to carry out the activity at another location.

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.

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

Release of a contaminant into the environment means to:

- deposit, discharge, emit or disturb the contaminant
- cause or allow the contaminant to be deposited, discharged, emitted or disturbed
- fail to prevent the contaminant from being deposited, discharged emitted or disturbed

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- allow the contaminant to escape
- fail to prevent the contaminant from escaping.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
- a public thoroughfare, park or gardens; or
- for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

You means the holder of the environmental authority.

END OF PERMIT

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