Permit

Environmental Protection Act 1994

Environmental authority EPPR00811513

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

Environmental authority number: EPPR00811513

Environmental authority takes effect on 22 February 2019

Environmental authority holder(s)

Name(s)	Registered address
NORTHERN STEVEDORING SERVICES PTY LTD	91 Hubert Street TOWNSVILLE QLD 4810

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 50 - Bulk Material Handling, 2: Loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials	LOT 61/SP118293
Prescribed ERA, ERA 50 - Bulk Material Handling, 2: Loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials	Lot 422/SP111787
Prescribed ERA, ERA 50 - Bulk Material Handling, 2: Loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials	Lot 16/SP199206
Prescribed ERA, ERA 50 - Bulk Material Handling, 2: Loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials	Lot 40/SP113657
Prescribed ERA, ERA 50 - Bulk Material Handling, 2: Loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials	LOT 63/SP143358
Prescribed ERA, ERA 50 - Bulk Material Handling, 2: Loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials	Lot 58/SP123751
Prescribed ERA, ERA 50 - Bulk Material Handling, 2: Loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials	Lot 59/SP115940
Prescribed ERA, ERA 50 - Bulk Material Handling, 1: Loading or unloading 100t or more of minerals in a day or stockpiling 50,000t or more of minerals, (a)	LOT 61/SP118293

ABN 46 640 294 485

Queensland Government

Environmentally relevant activity/activities	Location(s)
within 5km of the highest astronomical tide or 1km of a watercourse	
Prescribed ERA, ERA 50 - Bulk Material Handling, 1: Loading or unloading 100t or more of minerals in a day or stockpiling 50,000t or more of minerals, (a) within 5km of the highest astronomical tide or 1km of a watercourse	Lot 422/SP111787
Prescribed ERA, ERA 50 - Bulk Material Handling, 1: Loading or unloading 100t or more of minerals in a day or stockpiling 50,000t or more of minerals, (a) within 5km of the highest astronomical tide or 1km of a watercourse	LOT 63/SP143358
Prescribed ERA, ERA 50 - Bulk Material Handling, 1: Loading or unloading 100t or more of minerals in a day or stockpiling 50,000t or more of minerals, (a) within 5km of the highest astronomical tide or 1km of a watercourse	Lot 58/SP123751
Prescribed ERA, ERA 50 - Bulk Material Handling, 1: Loading or unloading 100t or more of minerals in a day or stockpiling 50,000t or more of minerals, (a) within 5km of the highest astronomical tide or 1km of a watercourse	Lot 59/SP115940

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.

Christine Mooney
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 22 February 2019

Enquiries:
Coastal and Marine 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)

Conditions of environmental authority

Part 1: Conditions applicable to all locations listed on this environmental authority

Environmentally relevant activities	Locations
ERA 50 Bulk Material Handling – Threshold 2 – loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials.	Port of Cairns, CAIRNS QLD 4870 Lot 16 on SP199206 Lot 40 on SP113657
ERA 50 Bulk Material Handling – Threshold 1(a) – loading or unloading 100t or more of minerals in a day or stockpiling 50,000t or more of minerals within 5km of the highest astronomical tide or 1km of a watercourse. ERA 50 Bulk Material Handling – Threshold 2 – loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials.	Auckland Point Wharf, BARNEY POINT QLD 4680 Lot 422 on SP111787
ERA 50 Bulk Material Handling – Threshold 1(a) – loading or unloading 100t or more of minerals in a day or stockpiling 50,000t or more of minerals within 5km of the highest astronomical tide or 1km of a watercourse. ERA 50 Bulk Material Handling – Threshold 2 – loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials.	Port of Mackay, MACKAY QLD 4740 Lot 63 on SP143358 Lot 61 on SP118293 Lot 58 on SP123751 Lot 59 on SP115940

The environmentally relevant activities conducted at the locations as described above must be conducted in accordance with the following site specific conditions of approval:

Agency interest: General	
Condition number	**Condition**
G1	Any breach of a condition of this environmental authority must be reported to the **administering authority** as soon as practicable within 24 hours of becoming aware of the breach. **Records** must be kept including full details of the breach and any subsequent actions taken.
G2	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the activities.
G3	The **activity** must be undertaken in accordance with written procedures that: (a) identify potential risks to the environment from the **activity** during routine operations and emergencies; and (b) establish and maintain control **measures** that minimise the potential for environmental harm; and (c) ensure plant, equipment and **measures** are maintained in a proper and effective condition; and (d) ensure plant, equipment and **measures** are operated in a proper and effective manner; and (e) ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994*; and (f) ensure that reviews of environmental performance are undertaken at least annually.

G4	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.
G5	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.
G6	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system**.
G7	**You** must record the following details of all environmental complaints received: 1. date and time the complaint was received 2. name and contact details of the complainant when provided and authorised by the complainant 3. nature of the complaint 4. investigation undertaken 5. conclusions formed 6. actions taken.
G8	When required by the **administering authority**, monitoring must be undertaken in the manner prescribed by the **administering authority** to investigate a complaint of **environmental nuisance** arising from the **activity**. The monitoring results must be provided within 10 business days to the **administering authority** upon its request.

Agency interest: Air	
Condition number	**Condition**
A1	Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive place** or **commercial place**

Agency interest: Water	
Condition number	**Condition**
WT1	Contaminants must not be released to any **waters**.

Agency interest: Noise	
Condition number	**Condition**
N1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.

Agency interest: Land	
Condition number	**Condition**
L1	There must be no release of contaminants to **land**.

Agency interest: Waste	
Condition number	**Condition**
W1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
W2	**Incompatible wastes** must not be mixed in the same container or waste storage area.

Part 2: Conditions applicable only to Lot 422 SP111787 on this environmental authority

Environmentally relevant activities	**Locations**
ERA 50 Bulk Material Handling — Threshold 1(a) — loading or unloading 100t or more of minerals in a day or stockpiling 50,000t or more of minerals within 5km of the highest astronomical tide or 1km of a watercourse. ERA 50 Bulk Material Handling — Threshold 2 — loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials.	Auckland Point Wharf, GLADSTONE QLD 4680 Lot 422 SP111787

The environmentally relevant activities conducted at the lcoations as described above must be conducted in accordance with the following site specific conditions of approval:

Agency interest: Waste	
Condition number	**Condition**
G1	The following thresholds must not be exceeded: (a) stockpiling, loading and unloading a maximum of 50,000 containers per annum; (b) loading and unloading a maximum of 85,000 tonnes of magnetite per annum; (c) loading and unloading a maximum of 100,000 tonnes of gypsum per annum; and (d) loading of a maximum of 30,000 tonnes of Caustic Calcined Magnesia (Q Mag) per annum.

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 includes that part, if any, of an activity relating to—

(a) preparing a place for the activity before carrying out the activity; or

(b) rehabilitating a place after it has been used for carrying out the activity.

Administering authority means—

(a) for a matter, the administration and enforcement of which has been devolved to a local government under section 514—the local government; or

(b) for another matter—the chief executive

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the EA requirement and an give authoritative assessment, advice and analysis in relation to the EA requirement using the relevant protocols, standards, methods or literature.

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

Containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

Environmental nuisance as defined in Chapter 1 of the *Environmental Protection Act 1994.*

Land does not include waters.

Maximum means the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

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

Minimum means the measured value of the quality characteristic or contaminant must not be less than the release limit stated.

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

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

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

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

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 2004* or a World Heritage Area; or
6. a public thoroughfare, park or garden; or

7. 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 ENVIRONMENTAL AUTHORITY