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Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE00869708

This registration certificate is issued by the administering authority and takes effect from: 04-APR-2012.

The anniversary day for the purposes of the Annual Return remains>: 14 March.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities listed below at the following place; subject to the conditions set out in a development approval attached to the premises.

Registered Operator:-
Queensland Sugar Limited
Level 14, 348 Edward Street
BRISBANE QLD 4000

Development Approval No: IPDE02134610 (formerly NM0299)

Place:-
Lot 1 on RP736465 and Lot 14 on CP883442

Located at:-
Mackay Bulk Sugar Terminal, Harbour Road, MACKAY HARBOUR QLD 4740

Registered Activities: -
ERA 21 Motor vehicle workshop operation - operating a workshop on a commercial basis or in the course of carrying on a commercial enterprise involving maintaining mechanical components, engine cooling radiators or body panels; spray-painting body panels; and detailing or washing relating to motor vehicles.

ERA 50 Bulk material handling Threshold 2 - loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials at a Port.

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ERA 63 Sewage treatment Threshold 2(a) - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of 21 to 100EP (i) if treated effluent is discharged to an infiltration trench or through an irrigation scheme.

ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3.

Derek Robson
Delegate
Department of Environment and Resource Management
Environmental Protection Act 1994
16 April 2012

Licence Without Development Approval (Section 93) Part

This part is for the carrying out of a level 1 environmentally relevant activity without a development approval, under chapter 4, part 3, division 2, subdivision 1 of the Environmental Protection Act 1994.

Schedule A - Activity

Prevent and /or minimise likelihood of environmental harm

(A1-1) In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this authority.

NOTE: This authority authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this authority explicitly authorises that harm. Where there is no condition or the authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

Maintenance of measures, plant and equipment

(A2-1) The holder must:

- install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and
- maintain such measures, plant and equipment in a proper and efficient condition; and
- operate such measures, plant and equipment in a proper and efficient manner.

Records

(A5-1) Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.

(A5-2) Records must be kept of the results of all determinations of the daily quantity of shed washdown waters released to Mackay Outer Harbour.

Integrated Environmental Management System (IEMS)

(A9-1) Prior to the commencement of any environmentally relevant activity ('the activities') under this environmental authority, the holder of this environmental authority must:

- develop an Integrated Environmental Management System (IEMS) which provides for the effective management by the holder of the actual and potential environmental impacts resulting from the carrying out of the activities; and
- implement and maintain the IEMS from the commencement of carrying out the activities.

Wade 20/12/02

(A9-2) The IEMS must provide for at least the following functions:

- Training staff in the awareness of environmental issues related to carrying out the activities, which must include at least:
  - The environmental policy of the holder, so that all persons that carry out the activities are aware of all relevant commitments to environmental management; and
  - Any relevant environmental objectives and targets, so that all staff are aware of the relevant performance objectives and can work towards these; and
  - Control procedures to be implemented for routine operations for day to day activities to minimise likelihood of environmental harm, however occasioned or caused; and
  - Contingency plans and emergency procedures to be implemented for non-routine situations to deal with foreseeable risks and hazards including corrective responses to prevent and mitigate environmental harm (including any necessary site rehabilitation); and
  - Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
  - Effective communication to ensure two-way communication on environmental matters between operational staff and higher management;
  - Their obligations in respect of monitoring, notification and record keeping obligations under the IEMS and relevant environmental authorities and/or development approvals; and
- dry pre-cleaning of the sheds to minimise the volume of wash waters generated;
- treatment and irrigation of stormwater contaminated with sugar particles, dissolved sugar or oily substances,
- Monitoring of the release of contaminants into the environment including procedures, methods, record keeping and notification of results;
- Conducting assessment of the environmental impact of any release of contaminants into the environment;
- Periodic conduct of energy audits and review of environmental performance and procedures adopted, not less frequently than every 5 years; and
- Waste prevention, treatment and disposal; and
- A program for continuous improvement.

(A9-3) The holder of this environmental authority must not implement or amend an IEMS (including any environmental management plan) that contravenes any condition of this environmental authority or any development condition applicable to carrying out the activities.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Materials handling

(B-1) All external material transfer conveyers except for the wharf and shiploader conveyors, must be roofed and enclosed on two sides.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Stormwater management

(C5-1) There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.

Management of shed washdown waters

(C6-1) The holder of this environmental authority is to adopt, in the order of preference listed, the following methods for the disposal of shed washdown waters;

- (1) dispose of washdown water by irrigating areas in accordance with condition F2-2;
- (2) dispose to Mackay Outer Harbour at a rate no greater then 480 litres per minute via existing stormwater drains as described in the application for Mackay Bulk Sugar terminal.

(C6-2) The daily quantity of shed washdown waters released to Mackay Outer Harbour must be determined by a method which is accurate to within 10%.

Bunding

(C7-1) All fuel tank storages must be bunded so that the capacity of the bund is sufficient to contain at least 100% of the largest storage tank plus 10 % of the second largest tank within the bund.

(C7-2) All drum storages of diesel, petrol, oil, solvents (including thinners), degreasers, resins, detergents, hypo 10 and rokite must be bunded so that the capacity of the bund is sufficient to contain at least 25% of the maximum design storage within the bund.

(C7-3) All bunding must be constructed of materials that are impervious to the materials stored.

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise and vibration

Noise nuisance

(D1-1) Noise from activities must not cause an environmental nuisance at any noise affected premises.

(D1-2) All noise from activities must not exceed the levels specified in Schedule D - Table 1 at any noise affected premises.

Schedule D - Table 1 (Noise limits)

Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am
	Noise measured at a 'Noise sensitive place'					
$L_{A10, adj, 10 mins}$	50	45	35	50	45	35
$L_{A1, adj, 10 mins}$	55	50	40	55	50	40
	Noise measured at a 'Commercial place'					
$L_{A10, adj, 10 mins}$	55	50	40	55	50	40
$L_{A1, adj, 10 mins}$	60	55	45	60	55	45

Noise monitoring

(D2-1) When requested by the Administering Authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:

- $L_{A\ 10,\ adj,\ 10\ mins}$
- $L_{A\ 1,\ adj,\ 10\ mins}$
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

(D2-2) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste

Waste handling

(E5-1) All regulated waste removed from the site must be removed by a person who holds a current authority to transport such waste under the provisions of the *Environmental Protection Act 1994*.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land

Land disposal

(F2-2) The irrigation of effluent must be carried out in a manner such that:

- vegetation is not damaged;
- soil erosion and soil structure damage is avoided;
- there is no surface ponding of effluent;
- percolation of effluent beyond the plant root zone is minimised;
- the capacity of the land to assimilate nitrogen, phosphorus, salts, organic matter as measured by oxygen demand and water is not exceeded; and
- the quality of ground water is not adversely affected.

(F2-6) The daily volume of contaminants released to land must be determined or estimated by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.

Preventing contaminant release to land

(F3-2) Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

END OF CONDITIONS FOR SCHEDULE F

Schedule G - Community

Complaint response

(G1-1) All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.

(G1-2) In consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the site specifically, or the industrial estate where the site is located.

END OF CONDITIONS FOR SCHEDULE G

END OF Licence Without Development Approval (Section 93) Part

Schedule H - Definitions

Words and phrases used throughout this licence or development approval are defined below:
Where a definition for a term used in this authority is sought and the term is not defined within this authority the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

Word Definitions

"administering authority" means the Environmental Protection Agency or its successor.

"you" means the holder of this Environmental Authority or owner / occupier of the land which is the subject of this Development Approval.

"site" means the place to which this environmental authority relates or the premises to which this development approval relates.

"authorised place" means the place authorised under this environmental authority/development approval for the carrying out of the specified environmentally relevant activities.

"this authority" means this environmental authority/development approval.

"authority" means level 1 licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the *Environmental Protection Act 1994.*

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Integrated Planning Act 1997*

"dust sensitive place" means -

- a dwelling, mobile home or caravan park, residential marina or other residential place;
- a motel, hotel or hostel;

- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area;
- a park or gardens; or
- a place used as an office or for business or commercial purposes.

and includes the curtilage of any such place.

"odour sensitive place" has the same meaning as a "dust sensitive place"

"dwelling" means any of the following structures or vehicles that is principally used as a residence-

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- a water craft in a marina.

"noxious" means harmful or injurious to health or physical well being.

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

"nuisance sensitive place" includes -

- 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
- 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.

"$L_{A\ 10,\ adj,\ 10\ mins}$" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.

"$L_{A\ 1,\ adj,\ 10\ mins}$" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period, using Fast response

"$L_{A,\ max\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

"noise affected premises" means a "noise sensitive place"or a "commercial place"

"noise sensitive place" means -

- a dwelling, 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; or
- a park or gardens.

and includes the curtilage of such place.

"commercial place" means a place used as an office or for business or commercial purposes.

"intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration -

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.

  In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations.

"protected area" means -

- a protected area under the Nature Conservation Act 1992; or
- a marine park under the Marine Parks Act 1992; or
- a World Heritage Area.

"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.

"regulated waste" means non-domestic waste mentioned in Schedule 7 of the Environmental Protection Regulation 1998 (whether or not it has been treated or immobilised), and includes:

- for an element - any chemical compound containing the element; and
- anything that has contained the waste.

"annual return" means the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the development approval.

END OF DEFINITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

There are no attachments to this schedule.

END OF CONDITIONS FOR SCHEDULE I

END OF INTEGRATED AUTHORITY