Queensland Government

Department of
Environment and Heritage Protection

Mackay Sugar Limited T/A Mossman Mill;
Marian Mill; Pleystowe Mill; Farleigh Mill;
Mackay Sugar; Racecourse Mill
PO Box 5720
MACKAY MC QLD 4741

Email: c.mansfield@mkysugar.com.au

Your reference: EPPR01190813
Our reference: 373069

Application details

I refer to the application that was received by the administering authority on 11-NOV-2015.

Land description: 436 Anzac Avenue, MARIAN Lot 63 Plan SP259171.

Decision

Your application has been **approved** and your environmental authority (reference EPPR01190813) is attached.

Should you have any further enquiries, please contact Rebecca Griffiths on telephone 07 3330 5517.

Yours sincerely

Signature	Date
S Ventura	2/12/15

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

Enclosed

Permit - environmental authority (reference EPPR01190813)

Rebecca Griffiths
Waste and Contaminated Land Assessment
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 07 3330 5517
Fax: 07 3330 6037
Email: Rebecca.Griffiths@ehp.qld.gov.au
Website **www.ehp.qld.gov.au**
ABN 46 640 294 485

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: EPPR01190813

Environmental authority takes effect on the date of approval.

The anniversary date of this environmental authority is the same day each year, 15 May. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Mackay Sugar Limited T/A Mossman Mill; Marian Mill; Pleystowe Mill; Farleigh Mill; Mackay Sugar; Racecourse Mill	Racecourse Mill Peak Downs Highway RACECOURSE QLD 4740

Environmentally relevant activity and location details

Environmentally relevant activity	Location
56 Regulated waste storage	436 Anzac Avenue and MARIAN - Lot 63 on Plan SP278411

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.

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

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

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.

S Ventura	2/12/15
Signature	Date

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

Enquiries:
Rebecca Griffiths
Waste and Contaminated Land Assessment
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 07 3330 5517
Fax: 07 3330 6037
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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

Location: 436 Anzac Avenue MARIAN QLD 4753-

Lot 63 Plan SP278411

Relevant activity:

ERA 56 Regulated waste storage – operating a facility for receiving and storing regulated waste for more than 24 hours

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

LIST OF SCHEDULES:

Schedule A: General

Schedule B: Air

Schedule C: Water

Schedule D: Stormwater

Schedule E: Land

Schedule F: Waste

Schedule G: Noise

Schedule H: Monitoring and Reporting

Schedule I: Community

Schedule J: Provided Plans

Schedule K: Definitions

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SCHEDULE A: GENERAL

Scope

(A1) This environmental authority authorises the construction and operation of a facility for unloading, loading and stockpiling of bagasse and filter mud/boiler ash in general accordance with **Schedule J – Figure 1** at 436 ANZAC Avenue, Marian, also known as Lot 63 on SP278411 (formerly Lot 63 on SP259171).

Notification of Commissioning of Regulated Waste Storage Operations

(A2) The person undertaking the activity to which this environmental authority relates must notify the administering authority in writing within five (5) business days of the commissioning of regulated waste storage operations.

Copy of Environmental authority Must Be Kept at Approved Place

(A3) A copy of this environmental authority must be kept at the approved place.

Prevent and/or minimise likelihood of environmental harm

(A4) In carrying out an Environmentally Relevant Activity (ERA) to which this environmental authority relates, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused.

Maintenance of Measures, Plant and Equipment

(A5) The holder of this environmental authority must:

(a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval;

(b) maintain such measures, plant and equipment in a proper and efficient condition; and

(c) operate such measures, plant and equipment in a proper and efficient manner.

Alterations

(A6) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressively provided for by this environmental authority.

Site Based Management Plan

(A7) From commencement of an ERA to which this environmental authority relates, a site based management plan (SBMP) must be implemented and provided to the administering authority. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out.

The SBMP must address the following matters:

(a) environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals;

(b) identification of environmental issues and potential impacts;

(c) control measures for routine operations to minimise likelihood of environmental harm;

(d) contingency plans and emergency procedures for non-routine situations;

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(e) organisational structure and responsibility;

(f) effective communication;

(g) monitoring of contaminant releases;

(h) conducting environmental impact assessments;

(i) staff training;

(j) record keeping; and

(k) periodic review of environmental performance and continual improvement.

(A8) The SBMP must not be implemented or amended in a way that contravenes any condition of this environmental authority.

(A9) An up to date copy of the SBMP must be kept at the approved place to which the plan relates and be available to the administering authority on request.

Records

(A10) If a condition of this environmental authority requires the person undertaking the activity to which this approval relates to make or keep a record (however described), or prepare a document, the person must:

(a) keep the record or document at the approved place;

(b) keep the record or document in a place that is accessible by all persons engaged in the activity;

(c) produce the record or document for inspection by an authorised person for inspection if requested or upon request from the administering authority, supply the record or document in the form and by means requested by the administering authority within fourteen (14) days;

(d) for each document or record made or created in response to a monitoring requirement, reporting requirement, investigation or incident — keep the record for a minimum of five (5) years from the date the document is made or created;

(e) if the record of document is sent (in any form) to the administering authority — keep a copy of the document at the approved place in a way that is accessible to any person engaged in the activity at the approved place.

Monitoring

(A11) A suitably qualified person(s) must conduct any monitoring required by this environmental authority.

Sample Analysis

(A12) All analyses and tests required to be conducted under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) certification for such analysis and tests, except as otherwise authorised in writing by the administering authority.

Equipment Calibration

(A13) All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this environmental authority must be calibrated, appropriately operated and maintained.

Third Party Audit

(A14) Compliance with the conditions of this environmental authority must be audited by an appropriately qualified third party auditor, nominated by the holder of this environmental authority, within three (3) months of the completion of commissioning of the activity, and every three (3) years thereafter.

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(A15) Within twenty-eight (28) business days of receiving the final third party audit report, and within three (3) months of the audit, the holder of this environmental authority must submit a copy of the third party audit report to the administering authority.

(A16) The third party auditor must certify the findings of the third party audit report.

(A17) The financial cost of the third party audit is borne by the holder of this permit.

(A18) The holder of this environmental authority must act upon any recommendations arising from the third party audit report and:

(a) investigate any non-compliance issues identified; and

(b) as soon as practicable, implement measures or take necessary action to ensure compliance with this permit.

(A19) Subject to condition **(A18)**, and not more than three (3) months following the submission of the third party audit report, the holder of this environmental authority must provide written advice to the administering authority addressing the:

(a) actions taken by the holder to ensure compliance with this permit; and

(b) actions taken to prevent a recurrence of any non-compliance issues identified.

Definitions

(A20) Words and phrases used in this environmental authority are defined in **Schedule K – Definitions**. Where a definition for a term used in this environmental authority is not defined within this approval, the definitions in the *Environmental Protection Act 1994*, its Regulation and Environmental Protection Policies must be used.

END OF CONDITIONS FOR SCHEDULE A

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SCHEDULE B: AIR

Nuisance

(B1) The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive or commercial place.

Vegetated Buffer

(B2) A vegetated buffer must be established and maintained along the western boundary of the authorised place.

Covering of Bagasse Stockpiles

(B3) All completed bagasse stockpiles that are not being reclaimed from must be covered with odour-neutralising materials at all times.

(B4) Bagasse stockpiles must be progressively covered with odour-neutralising materials as they are being formed.

(B5) Only one bagasse stockpile is permitted to be reclaimed from at any one time.

(B6) At the end of each working day, no more than 10m of a bagasse stockpile that is being reclaimed from is permitted to be uncovered.

Height of Stockpiles

(B7) All bagasse stockpiles must not exceed 10m in height.

(B8) The filter mud/boiler ash stockpile must not exceed 1.5m in height.

Dust Suppression

(B9) Internal roads must be watered as often as necessary in order to minimise dust emissions.

(B10) The filter mud/boiler ash stockpile must be watered as often as necessary in order to minimise dust emissions.

Dust or Particulate Matter

(B11) The release of dust and/or particulate matter resulting from the activity, must not cause, or be likely to cause, a nuisance at any nuisance sensitive or commercial place.

(B12) Release of dust or particulate, exceeding the following levels, when measured at any nuisance sensitive place, is considered as an environmental nuisance:

(a) dust deposition of one hundred and twenty (120) milligrams per square metre per day over a thirty (30) days averaging period, when monitored in accordance with *Australian Standard AS 3580.10.1:2003 Methods of sampling and analysis of ambient air – Determination of particulate matter – Deposited matter – Gravimetric method* (or more recent editions); or

(b) a concentration of particulate matter with an aerodynamic diameter of less than ten (10) micrometres (PM_{10}) suspended in the atmosphere of fifty (50) micrograms per cubic metre over a twenty-four (24) hour averaging period, at a nuisance sensitive place downwind of the site, when monitored in accordance with:

(i) *Australian Standard AS 3580.9.6 of 2003* (or more recent editions) *'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method'*; or

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(ii) any alternative method of monitoring PM_{10} which may be permitted by the *'Air Quality Sampling Manual'* as published from time to time by the administering authority.

(B13) When requested by the administering authority, dust and particulate monitoring must be undertaken within a reasonable timeframe nominated by the administering authority, to investigate any complaint of environmental nuisance caused by dust and/or particulate matter. The results of the monitoring must be notified to the administering authority within fourteen (14) days following completion of the monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected nuisance sensitive place and at upwind control sites and must include:

(a) for a complaint alleging dust nuisance, dust deposition; and

(b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than ten (10) micrometre (µm) (PM_{10}) suspended in the atmosphere over a twenty-four (24) hour averaging time.

Reasonable Adjustment of Practices, Procedures or Infrastructure for Resolving Nuisance Complaints

(B14) The person undertaking the activity to which this environmental authority relates must investigate, or commission the investigation of, any complaints of nuisance caused by noxious or offensive odours or airborne contaminants and, if these complaints are validated, make reasonable and appropriate adjustments to processes or equipment to prevent a recurrence of the nuisance and provide a report associated with the investigation within fourteen (14) days of completion of the investigation to the administering authority.

END OF CONDITIONS FOR SCHEDULE B

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SCHEDULE C: WATER

Release of Contaminants to Waters

(C1) The only contaminants permitted to be released to waters under this environmental authority is stormwater from the release points during a Q1 rainfall event in compliance with the limits stated in **Schedule C – Table 1: Contaminant Release Limits to Stormwater**.

Schedule C – Table 1: Contaminant Release Limits to Stormwater

Quality Characteristics	Limit Type	Release Limit	Release Point(s)	Monitoring Frequency	Monitoring Locations
Dissolved Oxygen	Minimum	2.0 mg/L	Release Point (RP) RP01 and RP02	Within 1hr and 24hrs after discharge commences	Monitoring Point (MP) MP01, MP02 MP03 and MP04; and
Total Suspended Solids	Maximum	30 mg/L			
pH	Range	6.5 to 8.5			
Electrical Conductivity	N/A	N/A µS/cm			
Oil and Grease*	Maximum	10 mg/L			

Note: ** means that this Hydrocarbon analysis is required as a check of effectiveness and is not intended as a pre-release requirement. However, any exceedances of this limit automatically triggers a review of the Stormwater Management Plan in respect of hydrocarbon containment or handling onsite.*

(C2) Monitoring of release of contaminants to stormwater as stated in condition **(C1)** must be undertaken not less frequently than specified in **Schedule C – Table 1: Contaminant Release Limits to Stormwater**. All analyses of the stormwater quality released must be:

(a) must be made in accordance with, but are not limited to, methods prescribed in the *administering authority's Monitoring and Sampling Manual 2009* or more recent editions or supplements to that document as such become available; and

(b) carried out on samples that are representative of the stormwater discharge.

(C3) The release of contaminants to waters must not:

(a) produce any slick, discoloration of ambient waters or visible evidence of oil or grease, nor contain visible oil, grease, bagasse particles, filter ash/boiler ash particles, scum, litter or other objectionable matter; nor

(b) have any other properties nor contain any other contaminants in concentrations that are likely to cause environmental harm.

Preventing Contaminant Release to Waters

(C4) Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any external storm water drainage system, roadside gutter or waters.

END OF CONDITIONS FOR SCHEDULE C

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SCHEDULE D: STORMWATER

Stormwater general

(D1) The maintenance and cleaning of vehicles or other equipment must be carried out in areas from where the contaminants cannot be released into any waters, roadside gutter or waters.

(D2) Suitable banks or diversion drains must be installed and maintained to exclude stormwater runoff from all contaminated, or potentially contaminated, areas.

(D3) Stormwater systems must be constructed and maintained so as to prevent the pooling of contaminated water.

(D4) First flush stormwater runoff from Bagasse Pads 01, 02 and 03 and the Filter Mud/Boiler Ash Pad must be collected via sumps 01 and 02 and pumped to Marian Mill's effluent treatment system.

(D5) Sumps 01 and 02 must be fitted with operational pumps that consist of the following:

(a) automatic sump level indicator(s); and

(b) visual level indicator(s).

Stormwater Management Plans

(D6) Stormwater Management devices at the approved place must be constructed and maintained in accordance with the plans listed in **Schedule C – Table 2: Stormwater Management Plans.**

Schedule C – Table 2: Stormwater Management Plans

Drawing Number	Title	Author & Date
C002 Rev A (**Schedule I – Figure 2**)	General Earthworks & Roadworks Plan	Aurecon Australia Pty Ltd 29/11/2011
C004 Rev A (**Schedule I – Figure 3**)	Stormwater Drainage Layout	Aurecon Australia Pty Ltd 29/11/2011
C005 Rev A (**Schedule I – Figure 4**)	Stormwater Drainage Layout	Aurecon Australia Pty Ltd 29/11/2011

Stormwater Management Plan

(D7) Prior to commencement of an ERA to which this environmental authority relates, a final version of the site's stormwater management plan(s) (SWMP) must be prepared that is acceptable to the administering authority, and then implemented for the site. The SWMP must address at least the following:

(a) prevention of incident storm water and storm water run-off from contacting wastes or contaminants;

(b) diversion of upstream run-off away from areas where it may be contaminated by bulk products being loaded or unloaded, wastes, contaminants or other materials;

(c) collection, treatment and disposal of all contaminated storm water run-off;

(d) specify the sampling location(s) of all contaminant release points; and

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(e) monitoring frequency of stormwater discharges to the environment.

Stormwater Management Design Requirements – Bagasse Pads

(D8) Bagasse Pads 01, 02 and 03, including Sump 01, must be constructed with a permeability of not more than 1×10^{-9}m/s.

(D9) Bagasse Pads 01, 02 and 03, including Sump 01, must be adequately maintained so as to prevent the infiltration of contaminants to groundwater.

(D10) The drainage and leachate collection systems at Bagasse Pads 01, 02 and 03 must be maintained so as to prevent release of contaminants to waters during a dry weather day.

(D11) All contaminants from the drainage and leachate collection systems must be pumped to Marian Mill's effluent treatment system.

(D12) All bagasse stockpiles must be covered with tarpaulins, or equivalent impermeable materials, to minimise rainwater ingress.

(D13) Bagasse stockpiles must be compacted and profiled to direct leachate and stormwater runoff to onsite drainage systems that drain to Sump 01.

Stormwater Management Design Requirements – Filter Mud/Boiler Ash Pad

(D14) Filter mud/boiler ash stockpiles must be compacted and profiled to direct leachate and stormwater runoff to onsite drainage systems that drain to Sump 02.

END OF CONDITIONS FOR SCHEDULE D

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SCHEDULE E: LAND

Release to Land

(E1) Contaminants that will or may cause environmental harm must not be directly or indirectly released to land.

Design Requirements – Bagasse Pads

(E2) Fire hydrants must be installed at suitable intervals adjacent to and around Bagasse Pads 01, 02 and 03.

Containment of Chemicals, Fuels and Other Liquid Contaminants

(E3) Any spills and/or release of regulated waste or chemicals must be cleaned up as soon as practicable after the spill event.

(E4) All chemicals, fuels and other liquid contaminants must be contained within an on-site containment system and controlled in a manner that prevents environmental harm and in accordance with AS4326 *Storage and Handling of Oxidising Substances*, AS1940 - *Storage and Handling of Flammable and Combustible Liquids* and AS3780 – *The Storage and Handling of Corrosive Substances.*

(E5) All chemicals and flammable or combustible liquids stored on site must be stored in or serviced by an effective containment system that is impervious to the materials stored and managed to prevent the release of liquids to waters or land. Where no relevant Australian Standard is applicable, the following must be applied:

(a) storage tanks must be bunded so that the capacity and construction of the bund is sufficient to contain at least 110% of a single storage tank or 100% of the largest storage tank plus 10% of the second largest storage tank in multiple storage areas; and

(b) drum storages must be bunded so that the capacity and construction of the bund is sufficient to contain at least 25% of the maximum design storage volume within the bund.

END OF CONDITIONS FOR SCHEDULE E

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SCHEDULE F: WASTE

Waste General

(F1) Waste generated in the carrying out of the activity to which this environmental authority relates must be stored, handled and transferred in a proper and efficient manner so as to prevent spillage or contamination of land or waters.

Waste Management Plan

(F2) From the commencement of the activity to which this environmental authority relates, a waste management plan must be implemented, which addresses the following issues:

(a) the types and amounts of waste generated by the activity;

(b) how the waste will be dealt with, including a description of the types and amounts of waste that will be dealt with under each of the waste management practices mentioned in the waste management;

(c) procedures for identifying and implementing opportunities to improve the waste management practices employed e.g. opportunities for beneficial reuse of biosolids;

(d) procedures for dealing with accidents, spills and other incidents that may impact on the waste management;

(e) details of any accredited management system employed, or planned to be employed, to deal with the waste;

(f) how often the performance of the waste management practices will be assessed (at least annually); and

(g) the indicators or other criteria on which the performance of the waste management practices will be assessed.

Regulated Waste

(F3) A record of all regulated wastes (except filter mud/boiler ash) must be kept detailing the following information:

(a) date of pickup of waste;

(b) description of waste;

(c) quantity of waste;

(d) origin of the waste; and

(e) destination of the waste.

Note: Trackable wastes are not covered by this condition. Trackable wastes have similar recording requirements to this condition in accordance with a waste tracking system established under the Environmental Protection Act 1994.

(F4) All vehicles used to transport regulated waste (except filter mud/boiler ash) offsite must be lawfully entitled to transport the waste and be registered with the administering authority.

Notification of Improper Disposal of Regulated Waste

(F5) If the holder of the environmental authority becomes aware that a person has removed regulated waste from the licensed place and disposed of the regulated waste in a manner which is not authorised by this environmental authority or improper or unlawful, then the holder must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

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END OF CONDITIONS FOR SCHEDULE F

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SCHEDULE G: NOISE

Noise Nuisance

(G1) Noise from activities must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

(G2) All noise from activities must not exceed the levels specified in **Schedule F – Table 1: Noise Limits** at any nuisance sensitive or commercial place.

Note: All noise monitoring is to be conducted in accordance with the most recent version of the administering authority's Noise Measurement Manual.

Schedule F – Table 1: Noise Limits (Crushing and non-crushing season)

Sound pressure level dB(A) measured as	Monday to Friday		Saturdays, Sundays and public holidays	
	7am - 7pm	7pm - 7am	9am - 6pm	6pm - 9am
	Noise measured at a 'Nuisance sensitive place'			
$L_{Aeq, adj, T}$	Background + 3 dB(A)	Background + 3 dB(A)	Background +3 dB(A)	Background + 3 dB(A)
$L_{A1, adj, T}$	Background + 3 dB(A)	Background +3 dB(A)	Background +3 dB(A)	Background + 3 dB(A)

Note: *Where "Background" means background sound pressure level measured in accordance with the latest edition of the administering authority's Noise Measurement Manual.*

Administering Authority May Require Noise Monitoring to be Undertaken

(G3) When requested by the administering authority, noise monitoring, which addresses the following issues, must be undertaken to investigate any complaint of noise nuisance, and the results notified within fourteen (14) days to the administering authority. Monitoring must include:

(a) background noise level

(b) $L_{Aeq, adj, 10 mins}$

(c) $L_{A\ 1, adj, 10 mins}$

(d) $L_{A, max adj, T}$

(e) the level and frequency of occurrence of impulsive or tonal noise;

(f) atmospheric conditions including wind speed and direction;

(g) effects due to extraneous factors such as traffic noise; and

(h) location, date and time of recording.

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Obligation to Investigate Noise Nuisance Complaints

(G4) Subject to condition **(G5)**, the holder of this environmental authority relates must investigate, or commission the investigation of, all complaints alleging noise nuisance[1] from the activity to which this environmental authority relates.

(G5) The obligation for the holder of the environmental authority relates to investigate a nuisance complaint is extinguished if all the following apply:

(a) the facts and circumstances forming the basis for the complaint are substantially the same as those alleged in a former complaint by the same complainant;

(b) the results of an investigation into the former complaint was that the complaint cannot be substantiated; and

(c) the administering authority or an authorised person has not, by written notice, otherwise revived the obligation to investigate the complaint.

Reasonable Adjustment for Validated Nuisance Complaints

(G6) The holder of this environmental authority must make reasonable adjustment[2] for practices, procedures or equipment to resolve any validated complaint investigated under condition (**G4**).

Mobile Equipment

(G7) All operational mobile equipment at the authorised place must be attenuated to achieve a 4 dB(A) noise reduction level.

(G8) All operational mobile equipment at the authorised place must be fitted with the following to reduce noise emissions:

(a) upgraded mufflers;

(b) attenuators to radiator fans;

(c) upgraded engine enclosures; and

(d) attenuated air inlets.

Note: "upgraded" means to improve from current/standard operating conditions.

Vegetated Buffer

(G9) A vegetated buffer must be established and maintained along the northern boundary of the authorised place.

Bund Wall and Acoustic Fence

(G10) A bund wall and acoustic fence must be constructed along the northern boundary of the authorised place in accordance with **Schedule 1 – Figure 2** and **Schedule 1 – Figure 5** of this environmental authority.

Noise Barriers

(G11) All noise barriers (including earthen mounds, solid fencing and bagasse stockpiles) must be solid with negligible holes or gaps.

END OF CONDITIONS FOR SCHEDULE G

[1] The form of any investigations made under condition (F4) should be sufficient to enable a conclusion about the validity of the complaint to be made, but do not necessarily require formal noise monitoring in the form required under condition (F3).

[2] See section 319 of the *Environmental Protection Act 1994* (General environmental duty) for things that must be considered in determining whether a change is a reasonable adjustment.

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SCHEDULE H: MONITORING AND REPORTING

Notification of Incidents / Emergencies

(H1) As soon as practicable, but within twenty four (24) hours, after becoming aware of any emergency or incident which results in the release of contaminants or mismanagement of waste not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of the environmental authority, must notify the administering authority of the release by telephone, facsimile or electronic mail.

Information to Follow Notification

(H2) A written notice detailing the following information must be provided to the administering authority within 14 days of any advice provided in accordance with condition **(H1)**:

(a) the name of the operator, including their environmental authority number;

(b) the name and telephone number of a designated contact person;

(c) quantity and substance(s) released;

(d) vehicle and registration details;

(e) person/s involved (driver and any others);

(f) the location and time of the release;

(g) the suspected cause of the release;

(h) a description of the effects of the release;

(i) the results of any sampling performed in relation to the release,

(j) actions taken to mitigate any environmental harm caused by the release; and

(k) proposed actions to prevent a recurrence of the release.

Note: Any relevant notification given under Section 320 or Section 350 of the Environmental Protection Act 1994 *that includes the information required by this condition is also an emergency/incident notification under this environmental authority.*

Exception Reporting

(H3) The holder of this environmental authority must notify the administering authority within seven (7) days of completion of analysis of any result of a monitoring program required by a condition of this environmental authority that indicates an exceedance of any limit specified in this approval.

(H4) The written notification must include:

(a) the full analysis results;

(b) details of investigation or corrective actions taken in accordance with condition **(H2)**; and

(c) any subsequent analysis.

Annual Monitoring Report

(H5) An annual monitoring report must be prepared each year and presented to the administering authority with the annual return. This report shall include but not be limited to:

(a) a summary of the previous twelve (12) months monitoring results obtained under any monitoring programs required under this approval and, in graphical form showing relevant limits, a comparison of the previous twelve (12) months monitoring results to both this approvals limits and to relevant prior results;

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(b) an evaluation/explanation of the data from any monitoring programs;

(c) a summary of any record of quantities of releases required to be kept under this approval;

(d) a summary of the record of equipment failures or events recorded for any site under this approval; and

(e) an outline of actions taken or proposed to minimise the environmental risk from any deficiency by the monitoring or recording programs.

END OF CONDITIONS FOR SCHEDULE H

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SCHEDULE I: COMMUNITY

Complaint Response

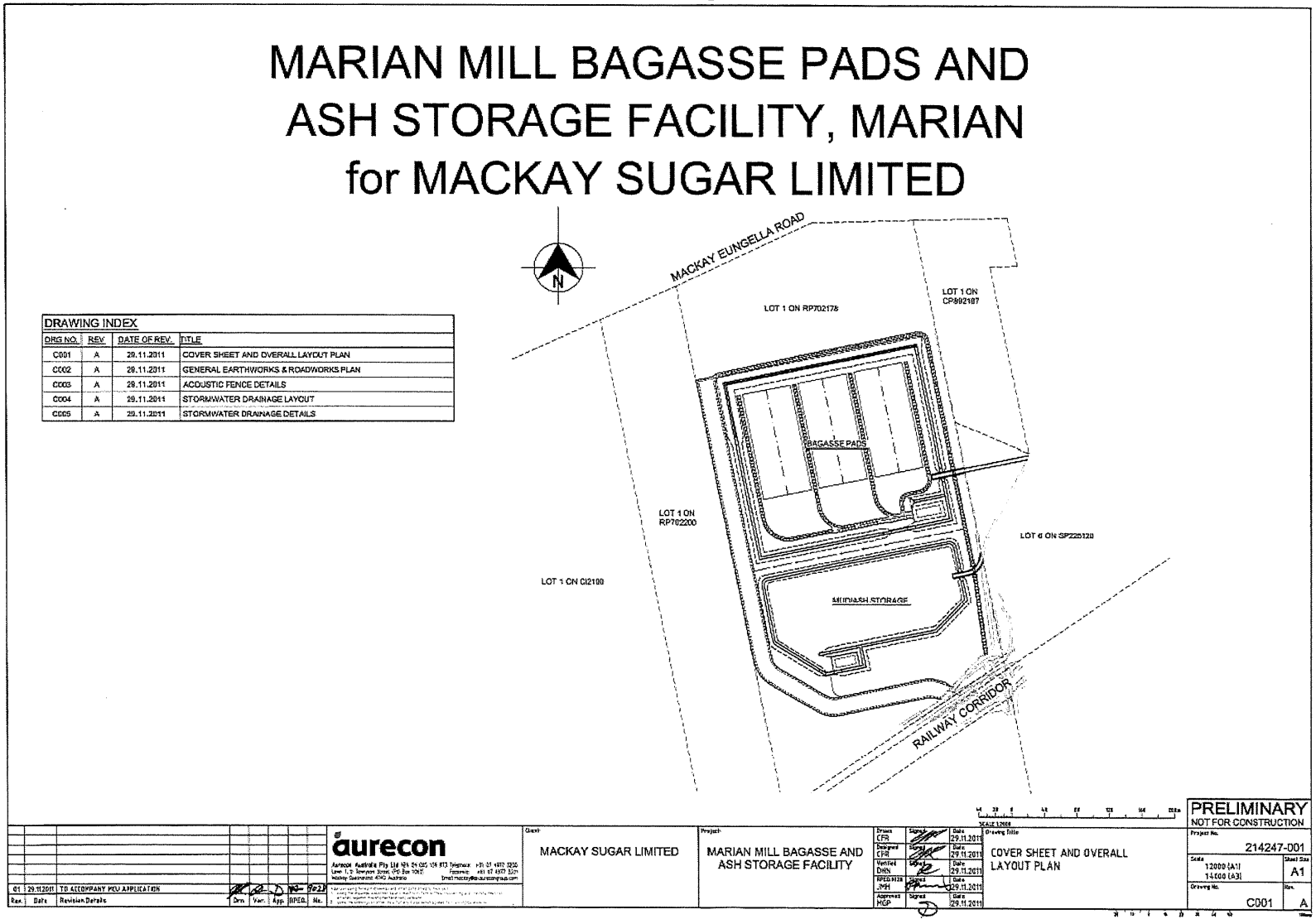
(I1) All complaints received must be recorded including investigations undertaken, conclusions formed and action(s) taken. This information must be made available to the administering authority on request.

END OF CONDITIONS FOR SCHEDULE I

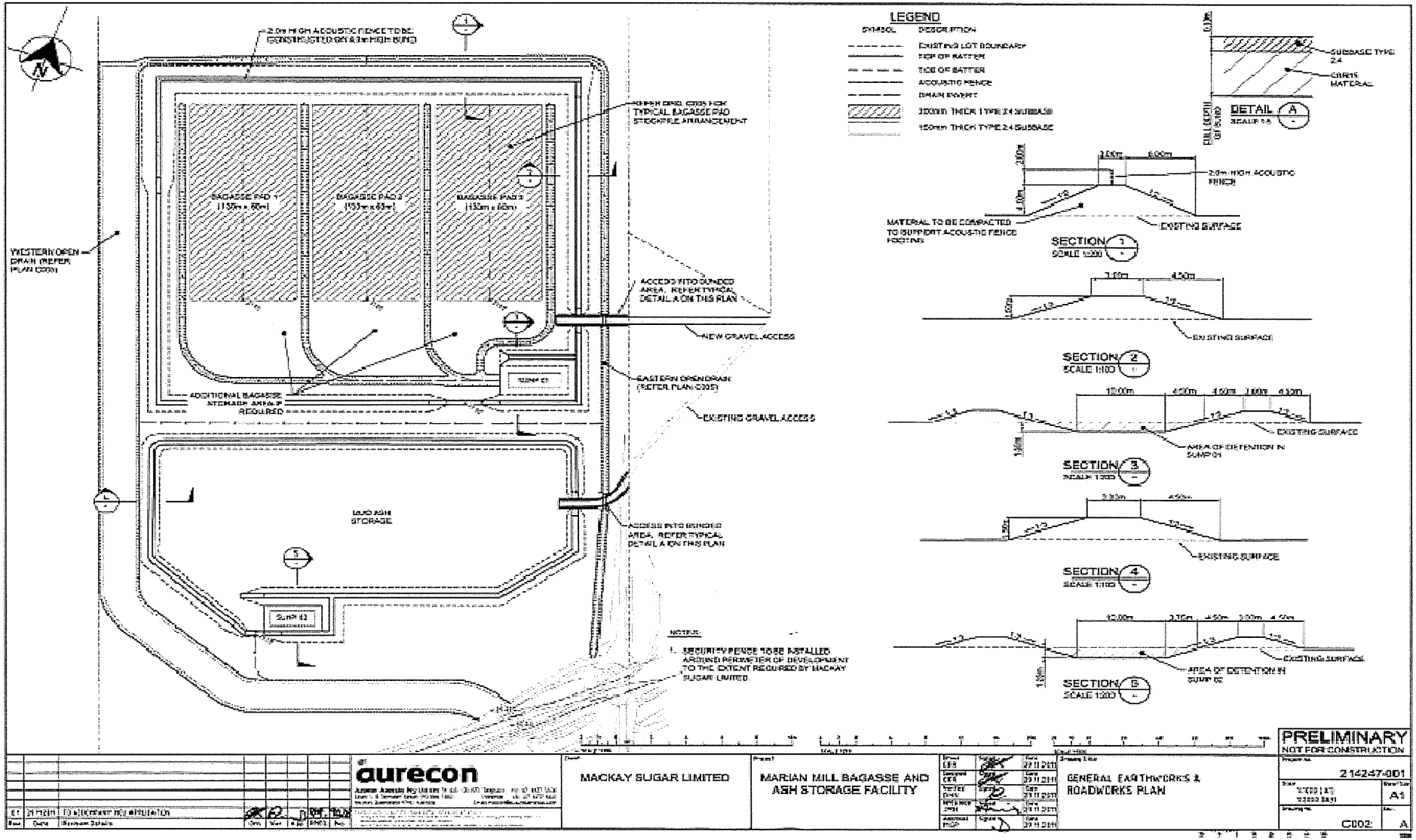
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SCHEDULE J: PROVIDED PLANS

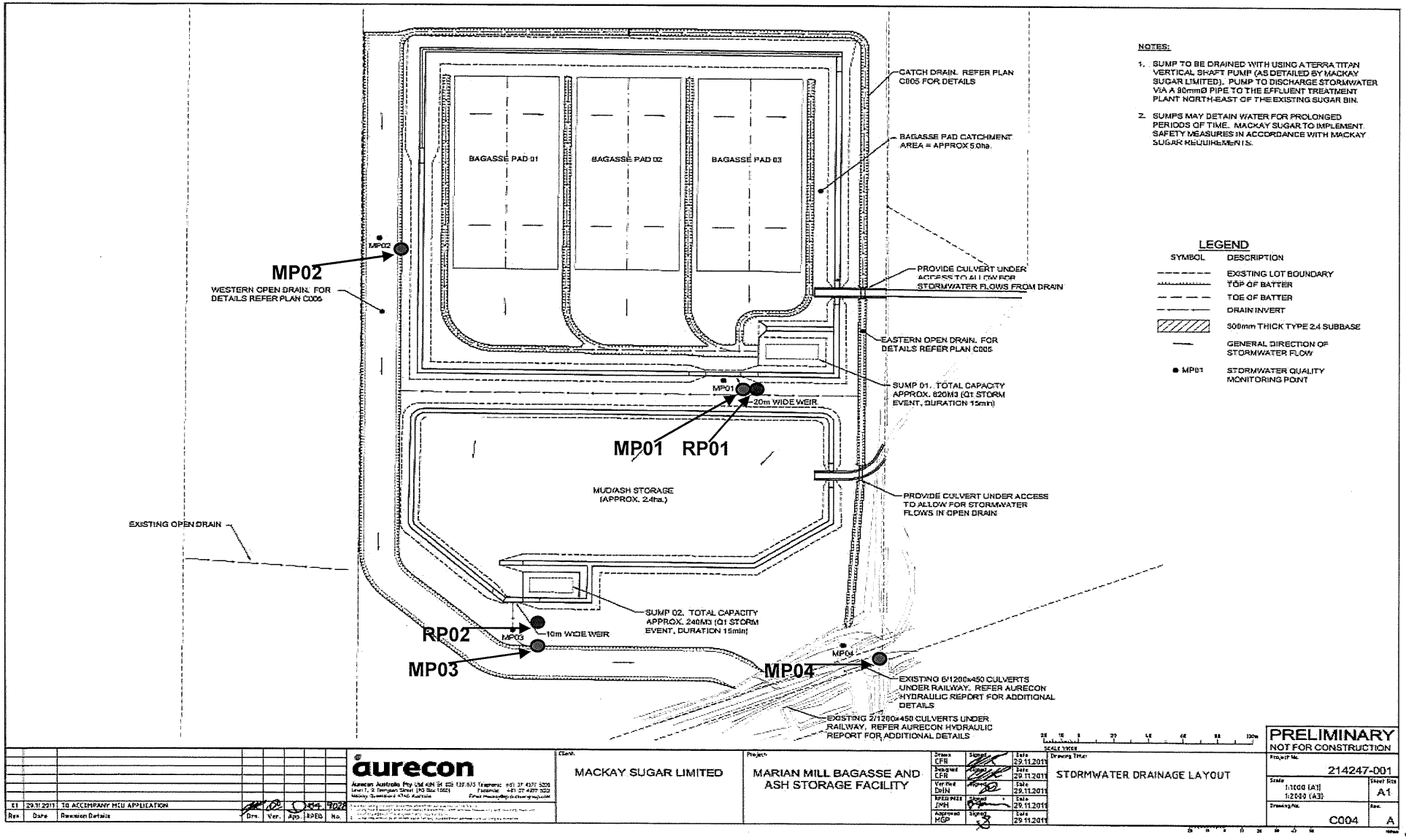
Schedule J – Figure 1



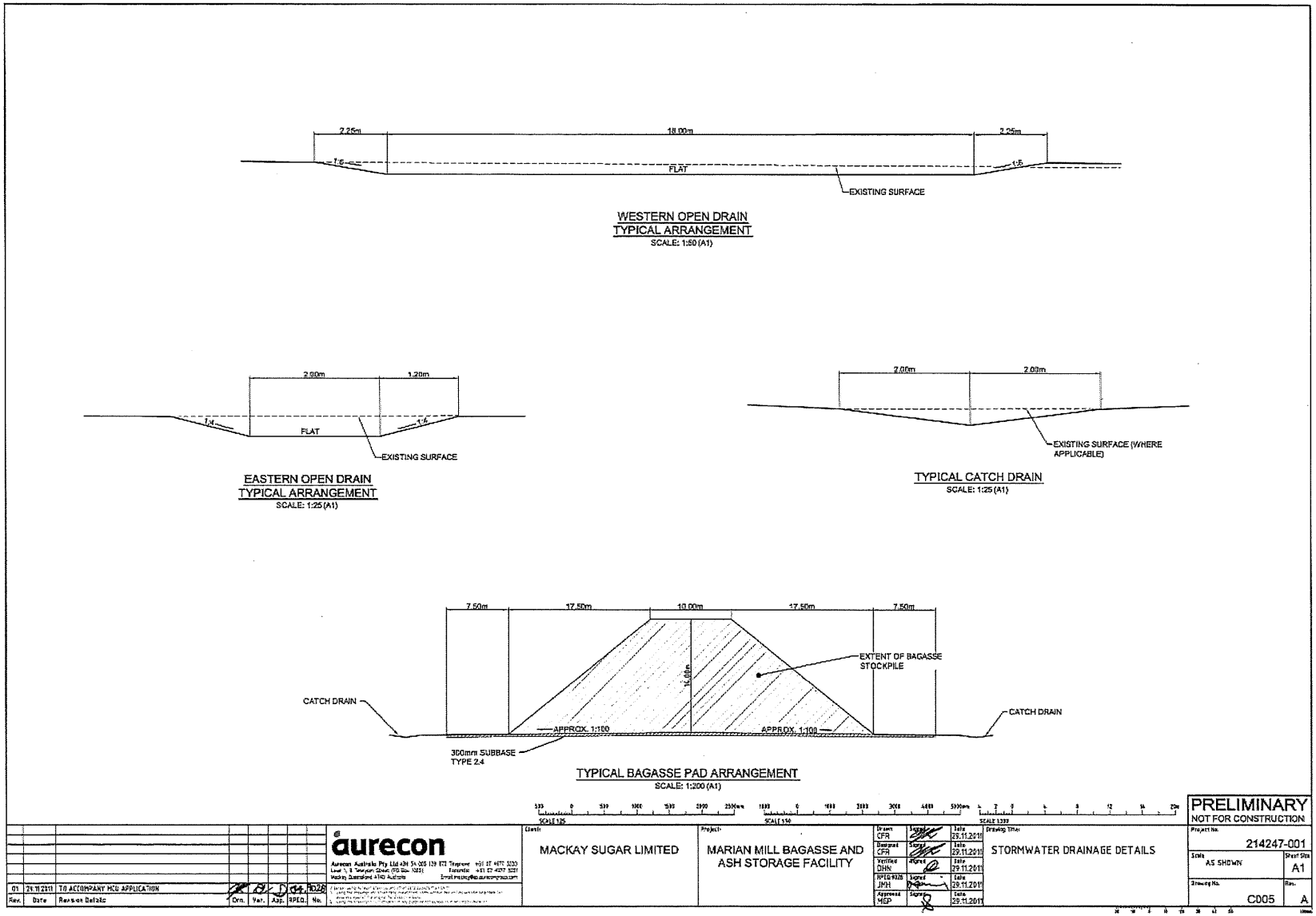
Schedule J – Figure 2



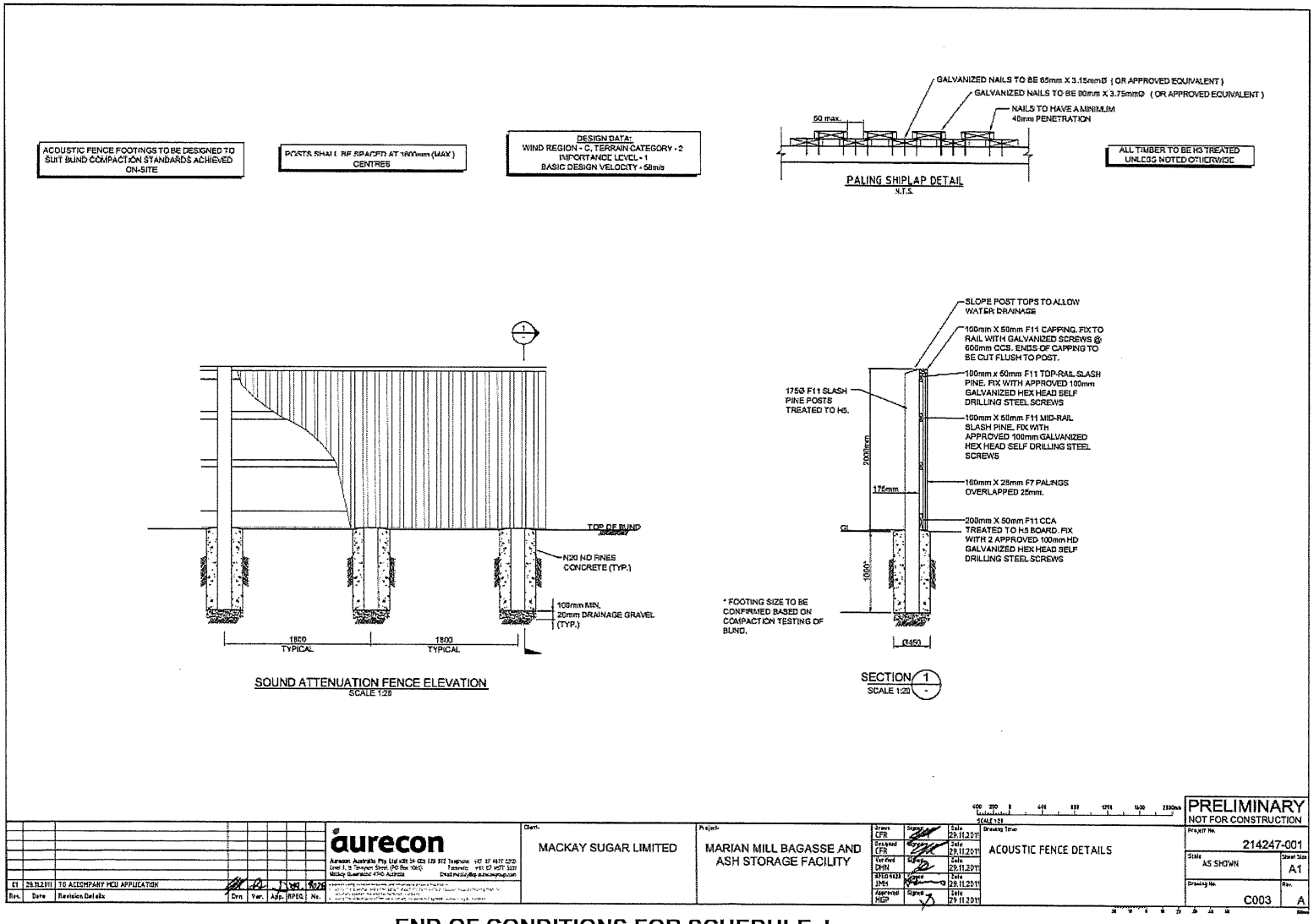
Schedule J – Figure 3



Schedule J – Figure 4



Schedule J – Figure 5



END OF CONDITIONS FOR SCHEDULE J

SCHEDULE K: DEFINITIONS

Words and phrases used throughout this permit are defined below. Where a definition for a term used in this permit is sought and the term is not defined within this permit the definitions provided in the relevant legislation shall be used.

"administering authority" means the Department of Environment and Heritage Protection or its successor.

"Bagasse Pads 01, 02 and 03" means the bagasse pads as shown in **Schedule J – Figure 2.**

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

"commissioning" means the condition of anything in active service or use.

"contaminant" can be:

- a gas, liquid or solid; or
- an odour; or
- an organism (whether alive or dead), including a virus; or
- energy, including noise, heat, radioactivity and electromagnetic radiation; or
- a combination of contaminants.;

"dB(A)" means decibels measured on the 'A' frequency weighting network.

"Department of Environment and Heritage Protection" means the department or agency (whatever called) administering the *Coastal Protection and Management Act 1995* or the *Environmental Protection Act 1994*.

"deposits" means a person deposits litter, at a place, or a contaminant in waters or at another place if the person drops, places or throws the litter or contaminant in the waters or onto the place; or releases the litter or contaminant, or otherwise causes it to move, into the waters or onto the place.

"dry weather day" means weather conditions that are less than a Q1 rainfall event.

"Filter Mud/Boiler Ash Pad" means the mud ash storage area as shown in **Schedule J – Figure 2.**

" $L_{Aeq,\ adj,\ 10\ mins}$**"** means t means an A-weighted sound pressure level of a continuous steady sound, adjusted for tonal character, that within a 10 minute period has the same mean square sound pressure of a sound that varies with time.

"$L_{Aeq,\ adj,\ T}$**"** means an A-weighted sound pressure level of a continuous steady sound, adjusted for tonal character, that within a measuring period (T) has the same mean square sound pressure as a sound level that varies with time

"$L_{A\ 1,\ adj,\ 10\ mins}$**"** 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.

"land" in the "land schedule" of this document means land excluding waters and the atmosphere.

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

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

"mg/L" means milligrams per litre.

"MP" means stormwater monitoring point.

"MP01" means the stormwater monitoring point as shown in **Schedule J – Figure 3**.

"MP02" means the stormwater monitoring point as shown in **Schedule J – Figure 3**.

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"MP03" means the stormwater monitoring point as shown in **Schedule J – Figure 3**.

"MP04" means the stormwater monitoring point as shown in **Schedule J – Figure 3**.

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

"NTU" means nephelometric turbidity units

"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 2004* 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.

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

"$PM_{2.5}$" means particulate matter with an aerodynamic diameter of less than or equal to 2.5 µm ($PM_{2.5}$).

"PM_{10}" means particulate matter with an aerodynamic diameter of less than 10µm or equal to (PM_{10}).

"release" of a contaminant into the environment, includes—

a) to deposit, discharge, emit or disturb the contaminant; and

b) to cause or allow the contaminant to be deposited, discharged emitted or disturbed; and

c) to fail to prevent the contaminant from being deposited, discharged, emitted or disturbed; and

d) to allow the contaminant to escape; and

e) to fail to prevent the contaminant from escaping.

"release limits" means the release limit of a characteristic or property (each being a contaminant under the *Environmental Protection Act 1994*) mentioned for treated effluent released from an ERA to which this approval relates: Schedule C – Table 1.

"RP" means release point.

"RP01" means the stormwater overflow weir from Sump 01 as shown in **Schedule J – Figure 3**.

"RP02" means the stormwater overflow weir from Sump 02 as shown in **Schedule J – Figure 3**.

"regulated waste" means waste that -

- is commercial or industrial waste, whether or not it has been immobilised or treated; and
- is of a type, or contains a constituent of a type, mentioned in Schedule 7 of the *Environmental Protection Regulation 2008*

Regulated waste includes -

- for an element - any chemical compound containing the element; and
- anything that contains residues of the waste.

"sensitive receptor" means an area or place where noise is measured.

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"site" means land or tidal waters on or in which it is proposed to carry out the development approved under this environmental authority.

"suitably qualified person" means a person with qualifications in the relevant area or field and at least 5 years' experience in that relevant technical area or field.

"Sumps 01 and 02" means the sumps as shown in **Schedule J – Figure 2.**

"watercourse" means a river, creek or stream in which water flows permanently or intermittently-

- in a natural channel, whether artificially improved or not; or
- in an artificial channel that has changed the course of the watercourse.

"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.

"works" or "operation" means the development approved under this environmental authority.

END OF CONDITIONS FOR SCHEDULE K

END OF PERMIT

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