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: EPPR01476813

The environmental authority takes effect after the related development application is approved and upon commencement of the activity. Prior to the commencement of the activity the administering authority must be given written notice of the proposed date of commencement.

The first annual fee is payable within 20 business days of the effective date.

The anniversary date of this environmental authority is the same day each year as the effective date. 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
Pacific Terminals (Australia) Pty Ltd	Level 26, 175 Liverpool Street Sydney NSW 2000

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
8-(3) Chemical storage >500m3 class C1 or C2	200 Tingira Street and Pinkenba - Lot 1102 Plan SL10945 4 Yarra Street and Pinkenba - Lot 1160 Plan SL10945

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.

Shari Murphy

Signature

24 Sept 13

Date

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

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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)

Location: 200 Tingira Street and Pinkenba – Part of Lot 1102 Plan SL10945

4 Yarra Street and Pinkenba – Part of Lot 1160 Plan SL10945

Relevant activity/ies:

8-(3) Chemical storage – storing 500m3 or more of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

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	The activity conducted under this environmental authority must not be conducted contrary to any of the following limitations: a) the activity conducted on Lots 1160 and 1102 on Plan SL10945 is limited to the part of the lots described as 'Area subject of application' in the Plan of Areas M, N, P & Q, number 126443, dated 2/2/12.
G2	All reasonable and practicable measures must be taken to minimise the likelihood of environmental harm being caused.
G3	The activity must not cause environmental nuisance at a nuisance sensitive place.

G4	For any nuisance complaints received: a) records of the complaint and any investigations or actions taken in relation to the complaint must be kept; b) the complaint must be investigated by a suitably qualified person to determine if environmental nuisance has been caused; and c) where environmental nuisance is or has been caused by the activity, actions necessary to rectify the nuisance issue must be undertaken.
G5	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 including flooding; b) establish control measures that minimise the potential for environmental harm; c) ensure plant and equipment is maintained and operated in proper and effective condition; d) ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994;* and e) ensure that reviews of environmental performance are undertaken at least annually.
G6	Any breach of a condition of this approval or any adverse impact on an environmental value must be reported to the administering authority in writing within 24 hours of becoming aware of the breach or the impact and any subsequent actions undertaken.
G7	All information and records that are required by the conditions of this environmental authority must be kept for a period of at least 5 years.
G8	A suitably qualified person(s) must monitor, interpret and record all parameters that are required to be monitored, in the manner provided, under Table 1- Stormwater Quality Release Monitoring and Table 2 – Noise Limits, and the associated monitoring requirements.
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 be released to any nuisance sensitive place or commercial place.
A2	Contaminants must not be released to air from any point source.
A3	Tanker unloading/loading areas must be fitted with a suitable technology to collect and disperse fugitive vapour emissions.

A4	Tanks capable of storing flammable liquids must be fitted with a suitable technology to minimise the release of vapour emissions.
Agency interest: Water	
Condition number	**Condition**
WT1	The activity must be carried out by such practicable means necessary to prevent and/or minimise the release or likelihood of release of contaminated runoff from the approved place to any stormwater drain or waters or the bed or banks of any such waters.
WT2	Stormwater releases must be monitored in accordance with Table 1- Water Quality Release Monitoring. In the event that a release exceeds a trigger value stated in Table 1- Water Quality Release Monitoring: a) the administering authority must be notified as required by condition G6 of this authority; b) an investigation must be conducted by a suitably qualified person and actions necessary to rectify the exceedance must be undertaken; and c) records must be kept as required by condition G7 of this authority.
WT3	All stormwater must be treated through a suitably sized and designed treatment technology prior to discharge from the site.
WT4	All surface runoff from the tanker loading/unloading areas must be treated through a suitably sized and designed treatment technology prior to discharge into the local stormwater system.
WT5	All stormwater collected in secondary containment areas must be treated through a suitable treatment technology prior to discharge into the local stormwater system.
WT6	Contaminants must not be released to surface waters.
WT7	Contaminants must not be released to groundwaters.
Agency interest: Noise	
Condition number	**Condition**
N1	Noise from the activity must not include substantial low frequency noise components and must not exceed the levels identified in Table 2 – Noise limits and the associated requirements at any nuisance sensitive place or commercial place.
Agency interest: Land	
Condition number	**Condition**
L1	Contaminants must not be released to land.

L2	All chemicals and fuels must be stored within a secondary containment system that meets the minimum requirements of the relevant Australian Standard.
L3	All tanker loading/unloading areas must have secondary containment so that the capacity of the containment system is sufficient to contain 100% of the largest compartment of any tanker using the area.
Agency interest: Waste	
Condition number	**Condition**
WS1	All waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite.

Definitions

Key terms and/or phrases used in this document are defined in this section. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

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.

Background means noise, measured in the absence of the noise under investigation, as $L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than 15 minutes, using Fast response.

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.

Environmental nuisance (the Act) is unreasonable interference or likely interference with an **environmental value** caused by—

a) aerosols, fumes, light, noise, odour, particles or smoke; or
b) an unhealthy, **offensive** or unsightly condition because of contamination; or
c) another way prescribed by regulation.

Environmental value (the Act) is—

a) a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or
b) another quality of the environment identified and declared to be an **environmental value** under an environmental protection policy or regulation.

$L_{Aeq\ adj,T}$ means the adjusted A weighted equivalent continuous sound pressure level **measures** on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the **activity** is causing a steady state noise, and no shorter than 1 hour when the approved **activity** is causing an intermittent noise.

Land means land excluding waters and the atmosphere.

Max$L_{pA,T}$ means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.

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

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

mg/L means milligrams per litre.

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.

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

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

Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurement, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).

Suitably 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.

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.

Schedule 1 - Monitoring

Table 1 – Noise Limits

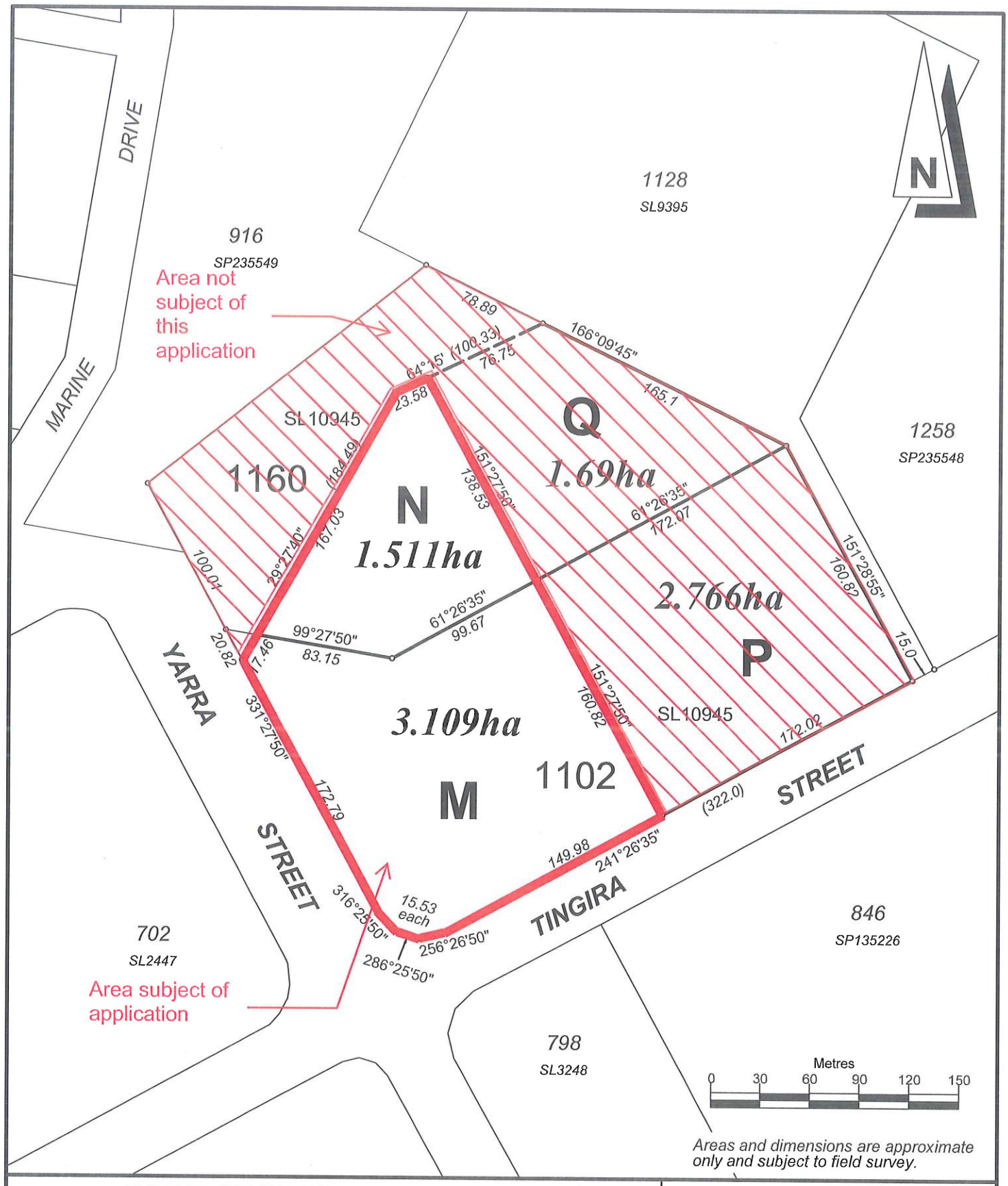
Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays		
	7am-6pm	6pm-10pm	10pm-7am	9am-6pm	6pm-10pm	10pm-9am
	Noise measured at a nuisance **sensitive place**					
$L_{Aeq\ adj,T}$	**Background** +5	**Background** +3	**Background** +0	**Background** +5	**Background** + 3	**Background** + 0
$MaxL_{pA,T}$	**Background** +10	**Background** +8	**Background** +5	**Background** +10	**Background** +8	**Background** +5
	Noise measured at a **commercial place**					
$L_{Aeq\ adj,T}$	**Background** +10	**Background** +8	**Background** +5	**Background** +10	**Background** +8	**Background** +5
$MaxL_{pA,T}$	**Background** +15	**Background** +13	**Background** +10	**Background** +15	**Background** +13	**Background** +10

Table 2 - Stormwater Quality Release Monitoring

Quality characteristics	Units	Trigger Values		Monitoring point	Monitoring frequency
		Minimum	Maximum		
Total Petroleum Hydrocarbons (TPH)	mg/L	-	10	Post treatment stormwater sampling pit	At least quarterly per year in the event of a release*
Dissolved Oxygen (DO)	mg/L	4.5	-		
Total Suspended solids (TSS)	mg/L	-	15		
pH	pH scale	6.0	8.5		
Visible oil, grease, scum or litter	-	Nil			

*This means if there is more than one release per quarter in a calendar year; one of each of these releases per quarter requires monitoring.

Schedule 2 – Plan of Areas M, N, P & Q, 02/02/2012



PORT OF BRISBANE PTY LTD

PLAN OF AREAS M, N, P & Q
BEING PERMITS TO OCCUPY OVER PART OF LOTS 1102 AND 1160 ON SL10945

Parish: TOOMBUL County: STANLEY

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