Permit

Environmental Protection Act 1994

Environmental authority EPPR03003315

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

Environmental authority number: EPPR03003315

Environmental authority takes effect on 21 August 2018

Environmental authority holder(s)

Name(s)	Registered address
Bulk Cargo Services Pty Ltd	774 Macarthur Avenue East PINKENBA QLD 4008

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 07 - Chemical Manufacturing, 4: Manufacturing, in a year, the following quantities of fertiliser, (b) more than 5000t	Lot 21/SP245300
Prescribed ERA, ERA 07 - Chemical Manufacturing, 4: Manufacturing, in a year, the following quantities of fertiliser, (a) 200t to 5000t	Lot 1189/SP153113
Prescribed ERA, ERA 07 - Chemical Manufacturing, 4: Manufacturing, in a year, the following quantities of fertiliser, (a) 200t to 5000t	Lot 1190/SP153113

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

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- 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.

Tristan Roberts
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 21 August 2018

Enquiries:
Extraction, Energy and Chemical Industries 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)

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Legislative Requirements and Conditions of Environmental Authority

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)

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Conditions for site:

774 Macarthur Avenue East, Pinkenba QLD 4008, Lot 1190 Plan SP153113 and Lot 1189 Plan SP153113

Agency interest: General	
Condition number	**Condition**
G1	The **activity** conducted under this environmental authority is subject to the following limitation: a) Chemical manufacturing of fertiliser must not exceed 5000t in a year.
G2	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the activities.
G3	The activity must not cause **environmental nuisance** at a nuisance sensitive place.
G4	The **release of a contaminant into the environment** must not occur.
G5	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.
G6	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.
G7	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.
G8	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.

G9	Processing and packaging operations must be carried out in an enclosed building.
Agency interest: Air	
Condition number	**Condition**
A1	Odours or airborne contaminants which are **noxious** or **offensive** or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any **sensitive place** or **commercial place**.
A2	Contaminants must not be released to air from any point source.
A3	Fugitive emissions from processing and packaging activities must be captured and/or treated by an appropriately designed and sized treatment system.
Agency interest: Water	
Condition number	**Condition**
W1	Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.
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	Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a **secondary containment system** and releases from the containment system controlled in a manner that prevents environmental harm.
Agency interest: Waste	
Condition number	**Condition**
WS1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.

Conditions for site:

80 Randle Road, Pinkenba QLD 4008, Lot 21 Plan SP245300

Agency interest: General	
Condition number	**Condition**
G1	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the activities.
G2	The activity must not cause **environmental nuisance** at a nuisance sensitive place.
G3	The **release of a contaminant into the environment** must not occur.
G4	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.
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; 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.
G6	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.
G7	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.
G8	Processing and packaging operations must be carried out in an enclosed building.
Agency interest: Air	

Condition number	Condition
A1	Odours or airborne contaminants which are **noxious** or **offensive** or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any **sensitive place** or **commercial place**.
A2	Contaminants must not be released to air from any point source.
A3	Fugitive emissions from processing and packaging activities must be captured and/or treated by an appropriately designed and sized treatment system.
Agency interest: Water	
Condition number	**Condition**
W1	Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment.
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	Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a **secondary containment system** and releases from the containment system controlled in a manner that prevents environmental harm.
L2	Before surrendering this environmental authority the site must be rehabilitated to achieve a safe, stable and non-polluting landform.
Agency interest: Waste	
Condition number	**Condition**
WS1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.

Definitions for both sites:

774 Macarthur Avenue East, Pinkenba QLD 4008: Lot 1190 Plan SP153113 and Lot 1189 Plan SP153113
80 Randle Road, Pinkenba QLD 4008: Lot 21 Plan SP245300

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

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Heritage Protection or its successors or predecessors.

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

Land does not include **waters**.

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

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.

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 PERMIT

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