# Permit

***Environmental Protection Act 1994***

## Environmental authority P-EA-100384231

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

### Environmental authority number: P-EA-100384231

**Environmental authority takes effect on** 11 June 2024. This is the take effect date.

The anniversary date of this environmental authority remains 23 March. The payment of the annual fee will be due each year on this day.

### Environmental authority holder(s)

| Name(s) | Registered address |
|---|---|
| CLEAR LOGISTICS AUSTRALIA PTY LTD | 18/109 Holt St<br>EAGLE FARM QLD 4009 |

### Environmentally relevant activity and location details

| Environmentally relevant activity/activities | Location(s) |
|---|---|
| ERA 16 - Extraction and Screening - 1(c) - Dredging, in a year, the following quantity of material - more than 100,000t but not more than 1,000,000t | Spitfire Channel Resource Area, within the coordinates (GDA 94):<br>Easting 526686.187, Northing 7008233.758<br>Easting 529602.306, Northing 7007167.436<br>Easting 530415.451, Northing 7004364.733<br>Disposal locations:<br>50 Farrer St, Pinkenba — Lot 1174 on SP172732, Lot 1172 on SP172732, Lot 1171 on SP172732<br>168A Anton Road, Hemmant — Lot 1 on SP277667, Lot 11 on SP306346<br>17 Skyring Terrace, Newstead — Lot 100 on SP292614, Lot 101 on SP292614, Lot 593 on SP148600<br>47 Pamela St, Pinkenba — Lot 1220 on SP903460, Lot 1246 on SP213678 |



Queensland Government

**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).

Mobile and temporary activities

If you operate a mobile and temporary environmentally relevant activity (ERA), other than regulated waste transport, you are required to maintain a work diary. You must:

- use the approved form for a work diary (ESR/2015/1696);
- keep the work diary records for 2 years after the last entry;
- inform the administering authority within 7 days of the work diary being lost or stolen;
- record the information required in the work diary for each location within 1 day of leaving the location.

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days)

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term ‘duty to notify’.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority - on the nominated day; or

b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or

c) otherwise - on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State*

*Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

The anniversary day of this environmental authority is the same day each year as the effective date. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 April.

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.

Amanda Gray

Signature

**11 June 2024**

Date

Amanda Gray
Department of Environment and Science
Delegate of the administering authority
*Environmental Protection Act 1994*

**Enquiries:**
Coastal and Marine Assessment
GPO Box 2454, BRISBANE QLD 4001

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)

### Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access State controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

### Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at www.resources.qld.gov.au, or phone 13 QGOV ( 13 74 68 ) or your local Mines Inspectorate Office.

### Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

**Conditions of environmental authority**

<table>
<tr><th colspan="2">GENERAL</th></tr>
<tr><td>G1</td><td>The activity authorised under this environmental authority must be conducted in accordance with the following limitations:<br>1. Dredge footprint within the bounds and specifications of the below coordinates (GDA94):<br>- Easting 526686.187, Northing 7008233.758<br>- Easting 529602.306, Northing 7007167.436<br>- Easting 530415.451, Northing 7004364.733<br>2. The maximum volume of material authorised to be removed under this authority is 500,000 tonnes a year.<br>3. The dredge material must only be transported to and placed at the following Sand Offloading Facilities:<br><br>Table 1 – Location of Sand Offloading Facilities<br><br>
<table>
<tr><th>Street Address</th><th>Lot on Plan</th></tr>
<tr><td>50 Farrer St, Pinkenba</td><td>• Lot 1174 on SP172732<br>• Lot 1172 on SP172732<br>• Lot 1171 on SP172732</td></tr>
<tr><td>168A Anton Road, Hemmant</td><td>• Lot 1 on SP277667<br>• Lot 11 on SP306346</td></tr>
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</table>
</td></tr>
<tr><td>G2</td><td>All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.</td></tr>
<tr><td>G3</td><td>Contravention of conditions<br>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.</td></tr>
<tr><td>G4</td><td>Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.</td></tr>
<tr><td>G5</td><td>Complaints<br>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.</td></tr>
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| G6 | **Plant and equipment**<br>An **appropriately qualified person** must install, operate, calibrate, and maintain the plant and equipment required to carry out the activity (including monitoring devices) in a proper and effective manner. |
| G7 | **Environmental risk management procedures**<br>Written procedures must be developed and implemented by an **appropriately qualified person** that ensure:<br>a) all potential risks to the environment from the carrying out of the **activity** are identified and assessed, including:<br>i) during routine operations; and<br>ii) outside routine operations (e.g., maintenance, start up and shut down); and<br>iii) during preparation, rehabilitation, and closure; and<br>iv) in an emergency (e.g., fire, flood or other natural disaster); and<br>b) for each potential risk identified, any necessary **measures** to prevent or minimise the potential for environmental harm are implemented; and<br>c) staff understand their obligations under this environmental authority and the *Environmental Protection Act 1994*; and<br>d) environmental risk management procedures are continually reviewed and improved, based on a reasonable risk-management approach. |
| G8 | **Record keeping**<br>Environmental monitoring results must be kept until surrender of this environmental authority. All other information and **records** that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. All information and **records** required by the conditions of this environmental authority must be provided to the **administering authority**, or **nominated delegate** upon request, within the required timeframe and in the specified format. |
| G9 | An **appropriately qualified person(s)** must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority. |
| G10 | Written notification of the commencement date must be provided to the **administering authority** at least five (5) business days prior to establishing a **new dredging activity**. |
| G11 | Prior to the commencement of the **dredging** activity, a **Dredge Management Plan**[1] for the **activity** must be developed and implemented, and the **Dredge Management Plan** must contain the following:<br>1. Clearly stated aims and objectives.<br>2. Description of dredging operation including:<br>a) type of equipment to be used in **dredging**;<br>b) volume of **dredged material** to be removed, and duration and timing of the **dredging** campaign;<br>c) methods to be utilised for transporting **dredged material**; and<br>d) **dredged material** disposal methods.<br>3. Maps or plans showing:<br>a) legend, north arrow and scale;<br>b) boundaries of **dredging** operation;<br>c) estimated or modelled **zone of influence** of sediment plumes;<br>d) location of designated disposal sites; |

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| | e) location of **sensitive receptors**; and<br>f) all monitoring locations.<br>4. A detailed description of **sediment plume monitoring program** including:<br>a) sampling regime and methods; and<br>b) monitoring sites.<br>5. A detailed description of the assessment methodology to provide data in relation to **trigger values** that will define **alert levels**.<br>6. Clearly set out data handling and evaluation procedures that demonstrate how exceedance of **alert levels** will be determined.<br>7. Management actions to be initiated if **alert levels** are exceeded.<br>[1]Note: The **Dredge Management Plan** is subject to review and amendment as required by changing regulation, monitoring results or **administering authority** recommendations. |
| G12 | The **Dredge Management Plan** must not be implemented or amended in a way that contravenes, or is inconsistent with, any condition of this authority. |
| G13 | The **Dredge Management Plan** must be submitted to the **administering authority** at least 20 business days prior to the commencement of dredging and amended in accordance with any comments made by the **administering authority**. |
| G14 | Condition G13 applies each time the **Dredge Management Plan** is amended. |
| G15 | The **dredging activity** must be undertaken in accordance with the **Dredge Management Plan** required in condition G11. |
| G16 | The **dredge material** is only to be removed from the **Sand Offloading Facilities** and provided to **Allocation of Quarry Material Holder(s)**. |
| G17 | By 31 January each year a Dredge Operation Completion Report must be prepared by an appropriately qualified person and submitted to the administering authority. |
| G18 | The Dredge Operation Completion Report required by condition G17 must include:<br>a) the results, including all raw data, from any monitoring conducted during the carrying out of the dredge operation;<br>b) the date and amount of material removed in tonnage and volume ($m^3$);<br>c) the methodology used to calculate tonnage and volume of material removed;<br>d) the date, tonnage and volume of material placed at the **Sand Offloading Facilities**;<br>e) the date, tonnage and volume of material allocated to **AQM Holder(s)** including their AQM number; and<br>f) a description of actions taken to minimise any environmental risk identified during the dredge operation, including but not limited to actions taken as a result of risks identified from monitoring and environmental complaints |

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| G19 | The **Dredge Management Plan** and Dredge Operation Completion Report must be provided to the **administering authority** at either of the addresses below:<br>palm@des.qld.gov.au; or<br>Department of Environment, Science and Innovation<br>Permit and Licence Management<br>Implementation and Support Unit<br>GPO Box 2454<br>Brisbane Qld 4001 |
| G20 | **Chemical storage**<br>Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system. |
| **AIR** | |
| A1 | Other than as permitted within this environmental authority, odours or airborne contaminants must not cause **environmental nuisance** at a **sensitive place** or **commercial place.** |
| **WATER** | |
| WT1 | This authority permits the release of bed sediments necessarily disturbed as a result of dredging and dewatering, provided that the release of those bed sediments do not extend beyond 100m of the bounds of the Spitfire Resource Channel Area, as described within the coordinates specified in condition G1. |
| WT2 | **Dredging** must cease while the sediment plume extends within 10m of a **sensitive receptor** that is not within the approved activity location in condition G1. |
| WT3 | A **sediment plume monitoring program** must:<br>a) be developed and implemented by an appropriately qualified person; and<br>b) include trigger levels and management actions to ensure the requirements of Condition WT2 will be met. |
| WT4 | **Prescribed water contaminants** must not be released during transfer from the site of dredging to the **Sand Offloading Facility**. |
| WT5 | **Marine Megafauna**<br>At all times during **dredging**, an **appropriately qualified person** must undertake monitoring for the presence of **marine megafauna**. |
| WT6 | If **marine megafauna** are observed within 100m of the vessel, dredging must cease immediately and not recommence until:<br>1. The **marine megafauna** are observed to travel beyond the 100m observation distance; or<br>2. A 30-minute period has passed since any **marine megafauna** has been observed in the 100m observation zone by the **appropriately qualified person** conducting monitoring required by condition WT5. |
| WT7 | Turtle excluder devices must be used on the dredge drag head of any dredge vessel used. |

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| **NOISE** | |
| N1 | Noise generated by the activity must not cause **environmental nuisance** to any **sensitive place** or **commercial place**. |
| **WASTE** | |
| W1 | All waste generated in carrying out the **activity** must be reused, recycled or removed to a facility or designated onsite location(s) that can lawfully accept the waste. |

**Definitions**

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

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

**Administering authority** means the Department of Environment, Science and Innovation or its successors or predecessors.

**Alert level** represent tiers in a hierarchy of increasing environmental risk and are defined by **trigger values**. Three **alert levels** (low, moderate, and high) are typically used in a management action framework to indicate adverse conditions and guide management responses that aim to prevent and minimise environmental harm.

**Allocation of Quarry Material Holder(s)** are the permit holders allocated the quarry material at the Spitfire Resource Channel Area under the *Coastal Protection and Management Act 1995*.

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

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

**Concern site** means a site where a **sensitive receptor** occurs within the **zone of influence** of a sediment plume.

**Dredge footprint** is the area being dredged including batters.

**Dredge Management Plan** is an environmental management plan for the **dredging activity.** It

a) defines and describes the:
b) scope, timing and duration of the **dredging operation**
c) **sediment plume-associated monitoring programs**
d) assessment of data, **trigger values** and **alert levels**, and
e) management actions that may be required in response to adverse monitoring results.

The **Dredge Management Plan** includes an aim to prevent and minimise environmental harm to **sensitive receptors** as a result of the **dredging activity.**

**Dredge material (dredged material)** means mud, sand, coral, shingle, gravel, clay, earth and other material removed by dredging. Dredged material includes dredge spoil and extracted quarry material.

**Dredging** means the mechanical removal of material from below naturally occurring surface waters. It excludes minor adjustments to the bed surface to level troughs and peaks and where bed material is only redistributed locally (bed levelling).

**Environmental nuisance** means as defined in Section 15 of the *Environmental Protection Act 1994*.

**Environmental value** means

a) a quality or physical characteristic of the environment that is conductive to ecological health of 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.

**Event-based** actions refers to management responses (e.g. an increased level of monitoring) initiated in following 'an event', with the event being defined in the **dredge management plan** (e.g. 'an event' can occur when monitoring results indicate an exceedance of an adopted **trigger value**, or a non-compliance with the environmental authority condition).

**Groundwater** means water that occurs naturally in, or is introduced artificially into, an aquifer

**Land** means any land, whether above or below the ordinary high-water mark at spring tides (i.e. includes **tidal land**).

**Marine megafauna** means cetaceans, pinnipeds, sirenians, marine and estuarine reptiles, large fishes such as billfishes, tunas, sharks and rays and seabirds.

**Measures** has the broadest interpretation and includes:

a) **Procedural measures** such as standard operating procedures for **dredging operations**, environmental risk assessments, management actions, Departmental directions and relevant guidelines
b) **Physical measures** such as plant, equipment, physical objects (such as bunding, containment systems etc.), ecosystem monitoring and bathymetric surveys.

**New dredging activity** means a dredging **activity** that is currently not underway, the next stage of a **dredging** campaign that is currently underway, or a discretely separate area in a larger dredge campaign that is currently underway.

**Nominated delegate** means another government agency that provides services to the **administering authority**.

**Placed** means the deposition of the material removed from the dredge basin and includes any works undertaken for dewatering and treatment of the material.

**Prescribed water contaminants** means contaminants listed within Schedule 10 of the *Environmental Protection Regulation 2019*.

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

**Reference site** refers to a monitoring site located not only beyond the anticipated **zone of influence** of a sediment plume, but also beyond other sources of **environmental impacts**, and has **site pairing** with one or more **test sites** or **sentinel sites**. In monitoring programs, **reference sites** serve the same role as do **control sites** but can generally be suitable for a broader set of parameters.

**Release of a contaminant into the environment** means to:

(a) deposit, discharge, emit or disturb the **contaminant**
(b) cause or allow the **contaminant** to be deposited, discharged, emitted or disturbed
(c) fail to prevent the **contaminant** from being deposited, discharged emitted or disturbed
(d) allow the **contaminant** to escape
(e) fail to prevent the **contaminant** from escaping.

**Remove (removed, removal)** means to:

- extract and collect quarry material from the Allocation Area; or
- take plant, equipment and measures that are associated with the dredging operation, out of the Allocation Area.

**Remove** does not include the rehandling of dredged material or collection of quarry material as part of a geotechnical investigation associated with future tidal works or extraction).

**Sand Offloading Facilities** means the land-based **Sand Offloading Facilities** described in Table 1. The facilities must have the necessary approvals in place to lawfully accept the **dredge material**. The necessary approvals also include all associated pontoons, jetties, berthing areas and/or over-water conveyor systems (and the like) that enable the transfer of the **dredge material** to land.

**Sediment plume-associated impacts** are impacts associated with sediment plumes including turbidity and suspended solids concentrations, light attenuation or sedimentation rates elevated above either **control site** or **reference site** readings or baseline conditions for an equivalent time of year. Where **dredge material** possesses acid sulfate soil-related properties, sediment plume-associated impacts may also include pH, dissolved oxygen and metal and metalloid-related toxicity impacts.

**Sediment plume monitoring program** means environmental monitoring associated with risk management of **sediment plume-associated impacts**.

**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 park or garden; or
7. for noise, a place defined as a **sensitive receptor** for the purposes of the Environmental Protection (Noise) Policy 2019.

**Sensitive receptor** includes biological sensitive receptors together with other **environmental values** sensitive to the effects of dredge-generated **sediment plume-associated impacts**.

**Sentinel site** is a **test site** that is situated between the disturbance source and the **sensitive receptor** and serves to provide earlier warning of developing adverse conditions than does a **test site**

**Site pairing** refers to monitoring sites that have a functional control-impact relationship, for example, Control site A is referenced to assess monitoring data collected from Concern Sites AA and AB, thus, Concern Sites AA and AB share site pairing with Control Site A.

**Test site** is a **concern site** that functions as a test point for compliance, is a monitoring site situated within the area where a **sensitive receptor** occurs and where environmental monitoring-related assessment criteria (e.g. **trigger values**) apply.

**Tidal land** means land that is submerged at any time by **tidal water**.

**Trigger values** are physicochemical, parameter-specific measurement values used to indicate a condition where an **environmental value** or **sensitive receptor** may be at low, moderate or high risk, or some other risk-related indicator.

**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.

**Zone of Influence** of a sediment plume is, in its broadest application, defined by the **dredge footprint** and the area beyond the **dredge footprint** where at least some level of **sediment plume-associated impacts** are expected to occur. The overall **zone of influence** may be broken down into more risk-relevant sub-categories, such as the Zone of Unavoidable Loss (the **dredge footprint** and immediately adjacent areas), the *Z*one of Moderate Impact, or the Zone of Marginal Impact, with each zone being defined according to its purpose or role in environmental management.

**END OF ENVIRONMENTAL AUTHORITY**