

Permit

Environmental Protection Act 1994

Environmental authority EA0000842

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

Environmental authority number: EA0000842

Environmental authority takes effect on 09 August 2017

Environmental authority holder(s)

Name(s)	Registered address
JMC NO 2 PTY LTD	250 Mary St GYMPIE QLD 4570 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 26 - Milk Processing, Milk processing (the relevant activity) consists of manufacturing or processing a total of 200t or more of dairy products in a year	Lot 111/RP908913
Prescribed ERA, ERA 26 - Milk Processing, Milk processing (the relevant activity) consists of manufacturing or processing a total of 200t or more of dairy products in a year	Lot 6/RP74357
Prescribed ERA, ERA 26 - Milk Processing, Milk processing (the relevant activity) consists of manufacturing or processing a total of 200t or more of dairy products in a year	Lot 113/RP908913

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:

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- 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.

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.

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

Date issued: 17 August 2017

Enquiries:
Extraction, Energy and Chemical Industries
Assessment
Department of Environment and Heritage Protection
Phone: 1300 130 372
Email: palm@ehp.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:

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- 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)

Legislative Requirements and Conditions of Environmental Authority

Condition

General

- G1 All reasonable and practicable measures must be taken to prevent and / or minimise the likelihood of environmental harm being caused.
- G2 Any breach of a condition of this environmental authority must be reported to the administering authority within 24 hours of becoming aware of the breach and record full details of the breach and any subsequent actions.
- G3 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.
- G4 An appropriately qualified person(s) must be responsible for implementing, daily management, recording and monitoring requirements associated with the irrigation management Plan (L1).

Air

- 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 When requested by the administering authority, monitoring must be undertaken to investigate any complaint of environmental nuisance which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief, and is caused by a release to the atmosphere from this ERA activity. The results therefore are to be provided to the administering authority within 14 days following completion of the monitoring.

Acoustic

- N1 Noise from the ERA activity must not cause an environmental nuisance at a sensitive place or commercial place.
- N2
- | Noise from the ERA activity must not exceed the levels identified in Table 1 – Noise limits. | | | | | | |
|--|--------------------|---------------|---------------|----------------------------|---------------|---------------|
| 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 | | | | | | |
| LAeq adj,T | Background +5 | Background +3 | Background +0 | Background +5 | Background +3 | Background +0 |
| MaxLpA,T | Background +10 | Background +8 | Background +5 | Background +10 | Background +8 | Background +5 |

Noise measured at a nuisance commercial place						
L _{Aeq} adj,T	Background +5	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

- N3 For the purposes of condition N2, noise monitoring must be done by a suitably qualified person in accordance with the latest edition of the department's noise measurements manual and include;
- a) MaxL_{pA},T
 - b) L_{Aeq} adj,T
 - c) Relevant background sound level (bg);
 - d) The level and frequency of occurrence of impulsive or tonal noise
 - e) Atmospheric conditions including wind speed and direction
 - f) Location, date and time of measurements;
 - g) Effects due to extraneous factors such as traffic noise; and
 - h) Details of measurement instrumentation and measurement procedure.

Land

- L1 Within 6 months from the effective date of this permit, an appropriately qualified person must design and implement an irrigation management plan to ensure milk processing wastewater land release, strategies, monitoring and review ensures best practice methods are achieved and environmental risk is minimised.
- L2 The only contaminant permitted to be released to land is the organic milk processing wastewater as a result of the site operations in accordance with Irrigation Management Plan (L1).
- L3 The daily volume of contaminants released to land must be determined or estimated by appropriate methods, for example a flow meter, and records kept of such determinations and estimates.
- L4 If you become aware of any adverse impact on an environmental value as a result of the contaminant release to land you must notify the administering authority in writing of the full details of the adverse impact within 24 hours of becoming aware of the impact.
- W1 Only remove waste from the site by using a transport lawfully able to transport it and to a place lawfully able to receive it.
- DEF1 Activity means the environmentally relevant activities, whether resources activities or prescribed activities, to which the environmental authority relates.
- DEF2 Administering authority means the Department of Environmental and Heritage Protection or its successor or predecessors.
- DEF3 Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experienced relevant to the nominated subject matter and can give authoritative assessment, advice and analysis of performance relative to the subject matter using the relevant protocols, standards, methods or literature.
- DEF4 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.

- DEF5 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.
- DEF6 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 conditions because of contamination; or
c) Another way prescribed by regulation.
- DEF7 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.
- DEF8 LAeq 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 measure 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.
- DEF9 MaxLpA,T means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes , using Fast response.
- DEF10 Measures have the broadest interpretation and include plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.
- DEF11 Noxious means harmful injurious to health or physical well-being.
- DEF12 Offensive means causing offence or displeasure; is unreasonably disagreeable to the sense; disgusting, nauseous or repulsive.
- DEF13 Prescribed contaminants means contaminants listed within Schedule 9 of the Environmental protection Regulation 2008.
- DEF14 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 garden; or
g) for noise, a place defined as a sensitive receptor for the purposes for the Environmental Protection (Noise) Policy 2008.
- DEF15 You means the holder of the environmental authority.