

Permit

Environmental Protection Act 1994

Environmental authority EPPR00417613

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

Environmental authority number: EPPR00417613

Environmental authority takes effect on 14 November 2018

Environmental authority holder(s)

Name(s)	Registered address
DR. OETKER QUEEN AUSTRALIA PTY LTD	17-19 Wakefield St ALDERLEY QLD 4051 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 23 - Bottling and Canning, Bottling and canning (the relevant activity) consists of bottling or canning 200t or more of food in a year	Lot 3/RP219397

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
- 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.

Environmental authority

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.

Christine Mooney
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Extraction, Energy and Chemical Industries
Assessment
Department of Environment and Science
Phone: 1300 130 372
Email: palm@des.qld.gov.au

Date issued: 14 November 2018

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)

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.

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.dnrm.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

Location: 17-19 Wakefield Street ALDERLEY
Lot 3 Plan RP219397

Activity: ERA 23 - Bottling and Canning, Bottling and canning (the relevant activity) consists of bottling or canning 200t or more of food in a year

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

Agency interest: General	
Condition number	Condition
G1	Notwithstanding any other requirements of this environmental authority, all reasonable and practicable measures must be taken to prevent and/or to minimise the likelihood of environmental harm being caused when carrying out the environmentally relevant activity.
G2	From commencement of the activity, implement the Site Management Plan (SMP) that identifies the actual and potential release of ALL contaminants, their subsequent environmental impacts and what corrective and preventive measures will be taken to prevent and/or minimise the likelihood of environmental harm. The SMP must also provide for the review and "continual improvement" in the overall environmental performance of all Environmentally Relevant Activities that are carried out.

G3	<p>Notify the administering authority as soon as practicable when the release of contaminants is not in accordance with the conditions of this document or any event where environmental harm may be threatened.</p> <p>Written advice must be provided within fourteen (14) days following any event as identified in condition number (G3) of the following information:</p> <ul style="list-style-type: none"> - the location of the event; - the time of the event; - the time the holder of the environmental authority became aware of the event; - the suspected cause of the event; - a description of the resulting effects of the event; - actions taken to mitigate any environmental harm and or environmental nuisance caused by the event; and - proposed actions to prevent a recurrence of the event.
G4	Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.
G5	<p>All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.</p> <p>In consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the licensed place specifically, or the industrial estate where the licensed place is located.</p>
Agency interest: Air	
Condition number	Condition
A1	Prevent the release of odour, which causes or is likely to cause a nuisance at any odour sensitive place . Nuisance includes odour that is or is likely to be noxious or offensive to a person or a nuisance in the opinion of an authorised person.
A2	Prevent the release of dust and/or particulate matter, which causes or is likely to cause a nuisance at any dust sensitive place . Nuisance includes dust that is or is likely to be offensive to a person or a nuisance in the opinion of an authorised person.
A3	<p>Dust is not considered to be a nuisance under condition (A2) if monitoring shows that dust and/or particulate matter does NOT exceed the following limits at the boundary of any affected dust sensitive place:</p> <ul style="list-style-type: none"> - Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991; and - A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM₁₀) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a dust sensitive place downwind of the premises to which this environmental authority relates, when monitored in accordance with:

	<ul style="list-style-type: none"> ○ Australian Standard AS 3580.9.6 "Ambient air - Particulate matter - Determination of suspended particulate PM₁₀ high-volume sampler with size-selective inlet - Gravimetric method"; or ○ any alternative method of monitoring PM₁₀ which may be permitted by the <i>Air Quality Sampling Manual</i> as published from time to time by the administering authority. 																																																																		
A4	Prevent any other nuisance not already regulated by conditions A1 to A3. Nuisance includes the release of contaminants such as but not limited to spray-drift, smoke, aerosols, fumes that are or are likely to be offensive to a person or a nuisance in the opinion of an authorised person.																																																																		
Agency interest: Water																																																																			
Condition number	Condition																																																																		
WT1	Prevent erosion that may result in the release of sediment to waters.																																																																		
WT2	Prevent the release of stormwater runoff that has been in contact with any contaminants at the site to any waters.																																																																		
WT3	Spillage of all chemicals and fuels must be captured within an on-site containment system.																																																																		
Agency interest: Noise																																																																			
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N1	Prevent the emission of noise, which causes or is likely to cause a nuisance at any noise affected premises . Nuisance includes noise that is or is likely to be annoying, intrusive or offensive to a person or a nuisance in the opinion of an authorised person.																																																																		
N2	<p>Noise is NOT considered to be a nuisance under condition N1 if monitoring shows that noise does NOT exceed the following levels in the time periods specified in Tables 1 and 2.</p> <p style="text-align: center;">Table 1 – Noise Limits (Noise Sensitive Place)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="3">Noise Level dB(A) measured as:</th> <th colspan="6">Noise measured at a Noise Sensitive Place</th> </tr> <tr> <th colspan="3">Monday to Saturday</th> <th colspan="3">Sundays and public holidays</th> </tr> <tr> <th>7am - 6pm</th> <th>6pm - 10pm</th> <th>10pm - 7am</th> <th>9am - 6pm</th> <th>6pm - 10pm</th> <th>10pm - 9am</th> </tr> </thead> <tbody> <tr> <td>LA10,adj,10mins</td> <td>b/g + 5</td> <td>b/g + 5</td> <td>b/g + 0</td> <td>b/g + 5</td> <td>b/g + 5</td> <td>b/g + 0</td> </tr> <tr> <td>LA 1, adj, 10mins</td> <td>b/g + 10</td> <td>b/g + 10</td> <td>b/g + 5</td> <td>b/g + 10</td> <td>b/g + 10</td> <td>b/g + 5</td> </tr> </tbody> </table> <p style="text-align: center;">Table 2 – Noise Limits (Commercial Place)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="3">Noise Level dB(A) measured as:</th> <th colspan="6">Noise measured at a Commercial Place</th> </tr> <tr> <th colspan="3">Monday to Saturday</th> <th colspan="3">Sundays and public holidays</th> </tr> <tr> <th>7am - 6pm</th> <th>6pm - 10pm</th> <th>10pm - 7am</th> <th>9am - 6pm</th> <th>6pm - 10pm</th> <th>10pm - 9am</th> </tr> </thead> <tbody> <tr> <td>LA10,adj,10mins</td> <td>b/g + 10</td> <td>b/g + 10</td> <td>b/g + 5</td> <td>b/g + 10</td> <td>b/g + 0</td> <td>b/g + 5</td> </tr> <tr> <td>LA 1, adj, 10mins</td> <td>b/g + 15</td> <td>b/g + 15</td> <td>b/g + 10</td> <td>b/g + 15</td> <td>b/g + 15</td> <td>b/g + 10</td> </tr> </tbody> </table>	Noise Level dB(A) measured as:	Noise measured at a Noise Sensitive Place						Monday to Saturday			Sundays and public holidays			7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am	LA10,adj,10mins	b/g + 5	b/g + 5	b/g + 0	b/g + 5	b/g + 5	b/g + 0	LA 1, adj, 10mins	b/g + 10	b/g + 10	b/g + 5	b/g + 10	b/g + 10	b/g + 5	Noise Level dB(A) measured as:	Noise measured at a Commercial Place						Monday to Saturday			Sundays and public holidays			7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am	LA10,adj,10mins	b/g + 10	b/g + 10	b/g + 5	b/g + 10	b/g + 0	b/g + 5	LA 1, adj, 10mins	b/g + 15	b/g + 15	b/g + 10	b/g + 15	b/g + 15	b/g + 10
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N3	When requested by the administering authority , noise monitoring must be undertaken to investigate any complaint of noise annoyance. Monitoring must include: <ul style="list-style-type: none">- L_A 10, adj, 10 mins- L_A 1, adj, 10 mins- the level and frequency of occurrence of impulsive or tonal noise;- atmospheric conditions including wind speed and direction;- effects due to extraneous factors such as traffic noise; and- location, date and time of recording.
N4	The method of measurement and reporting of noise levels must comply with the Environmental Protection Agency's Noise Measurement Manual, Third Edition, 1 March 2000, or more recent editions or supplements to that document as they become available.

Definitions

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.

administering authority means the Department of Environment and Science or its successor.

noxious means harmful or injurious to health or physical wellbeing.

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

dust sensitive place means —

- a **dwelling**, mobile home or caravan park, residential marina or other residential place;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area;
- a park or gardens; or
- a place used as an office or for business or commercial purposes.

and includes the curtilage of any such place.

odour sensitive place has the same meaning as a **dust sensitive place**

dwelling means any of the following structures or vehicles that is principally used as a residence-

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- a water craft in a marina.

Noise Definitions

L_A 10, adj, 10 mins means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 90% of any 10 minute measurement period, using Fast response.

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

noise sensitive place means -

- a **dwelling**, 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; or
- a park or gardens.

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

noise affected premises means a **noise sensitive place** or a **commercial place**.

intrusive noise - means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration -

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.

In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to *Australian Standard 1055.2 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations*.

END OF PERMIT