Permit

Environmental Protection Act 1994

Environmental authority EPPR00820413

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

Environmental authority number: EPPR00820413

Environmental authority takes effect on 30-04-2020

Environmental authority holder(s)

Name(s)	Registered address
OPAL PACKAGING AUSTRALIA PTY LTD	109-133 Burwood Rd HAWTHORN VIC 3122 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 15 - Fuel burning Using fuel burning equipment that is capable of burning at least 500kg of fuel in an hour	Lot 2 on SP139469

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:

Queensland Government

- 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.

Derek Robson
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 30 April 2020

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)

Conditions of Development Approval

This development approval consists of the following schedules of conditions relevant to various issues:

The aforementioned description of the environmentally relevant activity (ERA) for which this development approval is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing the approval. Where there is any conflict between the above description of the ERA for which this development approval is issued and the conditions as specified in this development approval as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This development approval consists of the following schedules -

Schedule A	General Conditions
Schedule B	Air
Schedule C	Water
Schedule D	Stormwater Management
Schedule E	Land Application
Schedule F	Noise
Schedule G	Waste Management
Schedule H	Monitoring and Reporting
Schedule I	Definitions

Schedule A – General Conditions

Release of contaminants not otherwise provided for

(A1) In carrying out the environmentally relevant activity/activities, the registered operator of this development approval must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity/activities, that, if carried out incompetently, may cause environmental harm, in a manner that could be prevented, shall be carried out in a proper manner by a competent person in accordance with the conditions of this authority.

(A2) The registered operator of this development approval must:

(i) install all plant and equipment necessary to ensure compliance with the conditions; and

(ii) maintain such plant and equipment in a proper and efficient condition; and

(iii) operate such plant and equipment in a proper and efficient manner.

In this condition, "plant and equipment" includes:

(i) plant and equipment used to prevent and/or minimise the likelihood of environmental harm being caused;

(ii) devices and structures to contain foreseeable escapes of contaminants and waste;

(iii) vehicles used to transport waste;

(iv) devices and structures used to store, handle, treat and dispose of waste;

(v) monitoring equipment and associated alarms; and

(vi) backup systems that act in the event of failure of a primary system.

Display of Development Approval

(A3) A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A4) Any record or document required to be kept by a condition of this development approval must be kept at the approved place for a period of at least five (5) years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

(A5) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development approval.

An example of a substantial increase in the risk of environmental harm is an increase of ten (10%) or more in the quantity of the contaminant to be released into the environment.

Calibration

(A6) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this development approval must be calibrated, and appropriately operated and maintained.

Nuisance

(A7) Notwithstanding any other condition of this development approval, this development approval does not authorise any release of contaminants which causes or is likely to cause an environmental nuisance beyond the boundaries of the approved place.

End of conditions for Schedule A

Schedule B – Air

Release of contaminants to atmosphere

(B1) Contaminants resulting from the operation of the sources described in ***Table 1*** of the air schedule must only be released to the atmosphere from those release points specified in ***Table 1*** of the air schedule.

(B2) Contaminants released from each release point specified in ***Table 1*** of the air schedule must be directed vertically upwards without any impedance or hindrance.

(B3) Contaminants must be released to the atmosphere from a release point at a height not less than the corresponding height stated for that release point in ***Table 1*** of the air schedule.

Schedule B – Table 1

SOURCE DESCRIPTION	RELEASE POINT NUMBER AND STACK DESCRIPTION	MINIMUM RELEASE HEIGHT (metres)
boiler	1. boiler exhaust stack	4 metres above roof
standby boiler – not connected under normal operation	2. boiler exhaust stack	4 metres above roof
diesel generator No. 1	3. diesel generator exhaust stack	4 metres above roof of generator room
diesel generator No. 2	4. diesel generator exhaust stack	4 metres above roof of generator room

Fuel Burning

(B4) The sulphur content of any diesel fuel burned in industrial fuel burning equipment is not to exceed 0.5 percent by weight.

(B5) The fuels which may be burned in industrial fuel burning equipment are natural gas and diesel.

Noxious or Offensive Odour

(B6) Notwithstanding any other condition of this development approval no release of contaminants from the approved place is to cause a noxious or offensive odour beyond the boundaries of the approved place.

Dust Control

(B7) All sealed traffic areas must be cleaned as necessary to minimise the release of dust and particulate matter to the atmosphere.

End of conditions for Schedule B

Schedule C – Water

Release of contaminants to atmosphere

(C1) Contaminants must not be directly or indirectly released from the approved place to any waters or the bed and banks of any waters except:

(i) as permitted under the stormwater management schedule; or

(ii) to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of conditions for Schedule C

Schedule D – Stormwater Management

General

(D1) The maintenance and cleaning of vehicles and any other equipment or plant must be carried out in areas from where contaminants cannot be released into any waters, roadside gutter or stormwater drainage system.

(D2) Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillages must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

End of conditions for Schedule D

Schedule E – Land application

(E1) There must be no release nor likelihood of release of any contaminants to land.

End of conditions for Schedule E

Queensland Government

Schedule F – Noise

Emission of noise

(F1) In the event of a complaint about noise that constitutes annoyance being made to the administering authority, that the administering authority considers is not frivolous or vexatious, then the emission of noise from the approved place must not result in levels greater than those specified in ***Table 1*** of the noise schedule.

Schedule F – Table 1

Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{A\ max,\ adj,\ T}$	**Period**
Background noise level plus 5 dB(A)	7 am – 6 pm
Background noise level plus 5 dB(A)	6 pm – 10 pm
Background noise level plus 3 dB(A)	10 pm – 7 am
Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level $L_{A\ max}$	**Period**
Background noise level plus 10 dB(A)	7 am – 6 pm
Background noise level plus 10 dB(A)	6 pm – 10 pm
Background noise level plus 8 dB(A)	10 pm – 7 am

End of conditions for Schedule F

ABN 46 640 294 485

Queensland Government

Schedule G – Waste management

General

(G1) The registered operator of this development approval must not:

(i) burn waste at or on the approved place; nor

(ii) allow waste to burn or be burned at or on the approved place; nor

(iii) remove waste from the approved place and burn such waste elsewhere.

(G2) Records of trade waste agreements must be made available for inspection on request.

(G3) An area must be set aside for the segregation and storage of recyclable solid wastes.

(G4) Where a no-cost recycling service is available, reasonable and practicable steps must be taken to ensure recyclable waste is not deposited in the general waste stream. Such steps may include, but not be limited to, provision of receptacles; suitable signage; and promotion of awareness among staff of the recycling service.

Off Site Movement

(G5) Where regulated waste is removed from the approved place (other than by a release as permitted under another schedule of this development approval), the registered operator of this development approval must monitor and keep records of the following:

(iv) the date, quantity and type of waste removed; and

(v) name of the waste transporter and/or disposal operator that removed the waste; and

(vi) the intended treatment/disposal destination of the waste.

Notification of Improper Disposal of Regulated Waste

(G6) If the registered operator of this development approval becomes aware that a person has removed regulated waste from the approved place and disposed of the regulated waste in a manner which is not authorised by this development approval or improper or unlawful, then the registered operator of this development approval must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of conditions for Schedule G

Schedule H – Monitoring and reporting

Complaint recording

(H1) All complaints received by the registered operator of this development approval relating to releases of contaminants from operations at the approved place must be recorded and kept in a log book with the following details:

(i) time, date and nature of complaint;

(ii) type of communication (telephone, letter, personal etc.);

(iii) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded);

(iv) response and investigation undertaken as a result of the complaint;

(v) name of person responsible for investigating complaint; and

(vi) action taken as a result of the complaint investigation and signature of responsible person.

Noise Monitoring

(H2) For the purposes of checking compliance with condition (F1), monitoring and recording of the noise levels from the activity/activities must be undertaken for the following descriptions, characteristics and conditions:

(i) $L_{Amax, Adj, T}$;

(ii) $L_{Abg, T \text{ or } LA90, T}$;

(iii) $L_{AN, T}$ (where N equals statistical levels of one (1), ten (10), fifty (50), ninety (90) and ninety-nine (99);

(iv) Max $L_{pA, T}$;

(v) $L_{Aeq, T}$;

(vi) the level and frequency of occurrence of impulsive or tonal noise;

(vii) atmospheric conditions including temperature, relative humidity and wind speed and direction; and

(viii) effects due to extraneous factors such as traffic noise.

(H3) The registered operator of this development approval must monitor and record the noise levels to check compliance with the conditions of this authority not less frequently than upon receipt of a written request to do so by the administering authority.

(H4) The method of measurement and reporting of noise levels must comply with the *Department of Environment and Heritage Noise Measurement Manual, second edition, March 1995,* or more recent additions or supplements to that document as become available.

(H5) The measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.

Report submission

(H6) The registered operator of this development approval must ensure that the results of all monitoring performed in accordance with this development approval for the period covered by the return are submitted with the annual return.

Notification of emergencies and incidents

(H7) As soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance, with the conditions of this development approval, the registered operator of this development approval must notify the administering authority of the release by telephone or facsimile.

(H8) The notification of emergencies or incidents as required by condition (H7) must include but not be limited to the following:

(i) the registered operator of the development approval;

(ii) the location of the emergency or incident;

(iii) the number of the development approval;

(iv) the name and telephone number of the designated contact person;

(v) the time of the release;

(vi) the time the registered operator of the development approval became aware of the release;

(vii) the suspected cause of the release;

(viii) the environmental harm and or environmental nuisance caused, threatened, or suspected to be caused by the release; and

(ix) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(H9) Not more than fourteen (14) days following the initial notification of an emergency or incident, the registered operator of the development approval must provide written advice of the information supplied in accordance with condition (H8) in addition to:

(i) proposed actions to prevent a recurrence of the emergency or incident;

(ii) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and

(iii) the results of any environmental monitoring performed.

End of conditions for Schedule H

Schedule I – Definitions

For the purposes of this development approval the following definitions apply:

Noise Definitions

(I1) "$L_{Amax, adj, T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I2) "background noise level" means either:

$L_{A90, T}$ being the A-weighted sound pressure level exceeded for ninety percent (90%) of the time period of not less than fifteen (15) minutes, using Fast response, or

$L_{abg, T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than fifteen (15) minutes, using Fast response.

(I3) "Max $L_{pA, T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I4) "noise sensitive place" means -

(a) a dwelling, 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; or

(f) a park or gardens.

(I5) "commercial place" means a place used as an office or for business or commercial purposes.

(I6) "annoyance". In determining what constitutes "annoyance" regard must be had to Australian Standard 1055.2 - 1989 Acoustics - Description and Measurement of Environmental Noise Part 2 Application to specific situations.

End of conditions for Schedule I

END OF CONDITIONS