

Permit

Environmental Protection Act 1994

Environmental authority EPPR00979213

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

Environmental authority number: EPPR00979213

Environmental authority takes effect on 12-03-2020

Environmental authority holder(s)

Name(s)	Registered address
LACTALIS AUSTRALIA PTY LTD	Office 5 35 Boundary St SOUTH BRISBANE QLD 4101 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
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 10 on CP852720
ERA 15 - Fuel burning Using fuel burning equipment that is capable of burning at least 500kg of fuel in an hour	LOT 10 on CP852720

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.

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.

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Dorota Rosiak
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 16 March 2020

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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 of environmental authority

Environmentally relevant activities	Location
Milk Processing (ERA 26) consists of manufacturing or processing a total of 200t or more of dairy products in a year. Fuel Burning (ERA 15) consists of using fuel burning equipment that is capable of burning at least 500kg of fuel in an hour.	65 Montague Road, SOUTH BRISBANE QLD 4101 - Lot 10 CP852720

The environmentally relevant activities 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	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.
G2	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 <i>Environmental Protection Act 1994</i>; and f) ensure that reviews of environmental performance are undertaken at least annually.
G3	All records must be kept for a period of at least five years and provided to the administering authority upon request.
G4	You must record the following details for all environmental complaints received: 1. date and time complaint was received; and 2. name and contact details of the complainant when provided and authorised by the complainant; and 3. nature of the complaint; and 4. investigations undertaken; and

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	5. conclusions formed; and 6. actions taken.								
G5	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								
G6	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.								
G7	Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system								
Agency interest: Air									
Condition number	Condition								
A1	Other than as permitted within this environmental authority, odours or airborne contaminants must not cause environmental nuisance to any sensitive place or commercial place.								
A2	Contaminants resulting from the operation of the sources described in Table 1 must only be released to the atmosphere from the specified release point.								
A3	Contaminants released from each release point specified in Table 1 must be directed vertically upwards without any impedance or hindrance.								
A4	Contaminants released from to the atmosphere from a release point at a height not less than corresponding height stated for that release point in Table 1 .								
A5	Contaminants must be released to the atmosphere from a release point at a velocity not less than the corresponding velocity stated for that release point in Table 1 . Table 1 <table><tr><th>RELEASE POINT NUMBER AND STACK DESCRIPTION</th><th>SOURCE DESCRIPTION</th><th>MINIMUM RELEASE HEIGHT (metres)</th><th>AVERAGE EFFLUX VELOCITY (metres/second)</th></tr><tr><td>RP1 (Common Stack)</td><td>1 x 6.8 MW Trevor Natural Gas-fired Boiler ; and 1 x 6.8 MW Maxitherm Natural Gas-fired Boiler serviced by common stack RP1.</td><td>22</td><td>8</td></tr></table>	RELEASE POINT NUMBER AND STACK DESCRIPTION	SOURCE DESCRIPTION	MINIMUM RELEASE HEIGHT (metres)	AVERAGE EFFLUX VELOCITY (metres/second)	RP1 (Common Stack)	1 x 6.8 MW Trevor Natural Gas-fired Boiler ; and 1 x 6.8 MW Maxitherm Natural Gas-fired Boiler serviced by common stack RP1.	22	8
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A6	The only type of fuel to be burned in the industrial boiler equipment is natural gas.								

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Agency interest: Water																							
Condition number	Condition																						
WT1	Other than as permitted within this environmental authority, contaminants must not be released to any waters .																						
Agency interest: Noise																							
Condition number	Condition																						
N1	Other than as permitted within this environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.																						
N2	In the event of a complaint about noise that constitutes unreasonable or intrusive noise 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 2. Table 2 <table border="1"> <thead> <tr> <th colspan="2">NOISE LIMITS AT NOISE SENSITIVE PLACE</th></tr> </thead> <tbody> <tr> <td>Period</td><td>Noise level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax, adj T}$</td></tr> <tr> <td>7am- 6pm</td><td>Background noise level plus 5 dB(A)</td></tr> <tr> <td>6pm- 10pm</td><td>Background noise level plus 5 dB(A)</td></tr> <tr> <td>10pm - &am</td><td>Background noise level plus 5 dB(A)</td></tr> <tr> <td>10pm – 7am</td><td>Background noise level plus 3 dB(A)</td></tr> <tr> <th colspan="2">NOISE LIMITS AT A COMMERCIAL PLACE</th></tr> <tr> <td>Period</td><td>Noise level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax, adj T}$</td></tr> <tr> <td>7am – 6pm</td><td>Background noise level plus 10 dB(A)</td></tr> <tr> <td>6pm – 10pm</td><td>Background noise level plus 10 dB(A)</td></tr> <tr> <td>10pm – 7am</td><td>Background noise level plus 8 dB(A)</td></tr> </tbody> </table> Associated Monitoring Requirements Noise monitoring must be in accordance with the most recent version of the administering authority's Noise Measurement Manual.	NOISE LIMITS AT NOISE SENSITIVE PLACE		Period	Noise level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax, adj T}$	7am- 6pm	Background noise level plus 5 dB(A)	6pm- 10pm	Background noise level plus 5 dB(A)	10pm - &am	Background noise level plus 5 dB(A)	10pm – 7am	Background noise level plus 3 dB(A)	NOISE LIMITS AT A COMMERCIAL PLACE		Period	Noise level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax, adj T}$	7am – 6pm	Background noise level plus 10 dB(A)	6pm – 10pm	Background noise level plus 10 dB(A)	10pm – 7am	Background noise level plus 8 dB(A)
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N3	For the purposes of investigating any complaint made about noise annoyance and also checking compliance with condition N2, monitoring and recording the noise levels from the environmentally relevant activities must be undertaken for at least the following descriptors, characteristics and conditions: $L_{Amax, adj T}$ $L_{Abj, T}$ (or $L_{A90, T}$)																						

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	iii. $L_{Aeq, T}$ iv. The Level and frequency of occurrence of impulsive or tonal noise; v. Atmospheric conditions including temperature, relative humidity and wind speed and direction; and vi. Effects due extraneous factors such as traffic noise.
N4	In conjunction with the measurement and recording of the noise, the following parameters and conditions must be recorded i. The location(s), date(s) and time(s) of sampling.
Agency interest: Waste	
Condition number	Condition
W1	Only the following waste materials are permitted to be transported: Dairy-based food processing wastes.
W2	All regulated waste removed from the site must be removed by a person who holds a current authority to transport such waste under the provisions of the <i>Environmental Protection Act 1994</i>. All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
Agency interest: Land	
Condition	
L1	Other than as permitted within this environmental authority, contaminants must not be released to land .

Definitions

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 Science or its successors or predecessors.

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.

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 measured for a period no less than 15 minutes when the activity is causing a steady state noise, and no shorter than one hour when the approved activity is causing an intermittent noise.

LA_{max,T} means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.

Land in the “land schedule” of this document means land excluding waters in the atmosphere.

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

Site means the place to which this development approval relates or the premises to which this development approval relates.

You means the holder of the environmental authority.

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.

END OF PERMIT