



Department of
**Environment and
Heritage Protection**

19-MAR-2014

To: Asahi Beverages Australia Pty Ltd
316 Brisbane Terrace
GOODNA QLD 4300

Attention: Luke Sorrell

Our reference: 240671

Application details

I refer to the application that was originally received by the administering authority on 27-FEB-2014.

Land description: 316 Brisbane Terrace, Goodna, Lot 1 on RP846607.

The environmental authority was issued with an incorrect location.

Decision

The administrative amendment has been approved and your environmental authority (reference EPPR01984914) is attached.

Should you have any further enquiries, please contact Nathan Sirl on telephone (07) 3381 7550.

Yours sincerely

Signature

19/03/2014

Date

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

Nathan Sirl
Permit and Licence Management
Department of Environment and
Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
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Enclosed

Permit - environmental authority (reference EPPR01984914)

Environmental authority

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

Permit¹ number: EPPR01984914

Environmental authority takes effect on 19-MAR-2014.

The anniversary date of this environmental authority remains 3 March. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Asahi Beverages Australia Pty Ltd	316 Brisbane Terrace GOODNA QLD 4300

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
23-Bottling and canning >200t yr	316 Brisbane Terrace and Goodna - Lot 1 on RP846607

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority 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).

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

Contaminated land

It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.



Signature

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

19/03/2014

Date

Enquiries:
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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)

Conditions of environmental authority

CONDITIONS

General

- G1** 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 including flooding;
 - b) establish control measures that minimise the potential for environmental harm;
 - c) ensure plant and equipment is maintained and operated in proper and effective condition;
 - d) ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994*; and
 - e) ensure that reviews of environmental performance are undertaken at least annually.
- G2** All reasonable and practicable measures must be taken to minimise the likelihood of environmental harm being caused.
- 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** If you become aware of any adverse impact on an environmental value 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.
- G5** The activity must not cause environmental nuisance at a nuisance sensitive place.
- G6** Processing operations must be carried out in an enclosed building.
- G7** All chemicals and fuels in bulk or in containers of greater than 15 litres must be stored within a secondary containment system and releases controlled in a manner that prevents environmental harm.

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** Contaminants must not be released to air from any point source.

Noise

- N1** Noise from the activity must not exceed the levels at the times identified in Table 1 – Noise limits and the associated requirements at the boundary of the approved place.

Table 1 – Noise limits

Noise level measured in dB	Monday to Friday	Saturday
	7am-6pm	7am-5pm
	Noise measured at the boundary of the approved place	
$L_{Aeq,adj,T}$	85	85

- N2** The method of measurement and reporting of noise levels must comply with the latest edition of the Noise Measurement Manual produced by the administering authority.
- N3** The activity must not cause audible noise to be heard at a sensitive place outside of the times identified in Table 1 – Noise limits.

Water

- W1** Contaminants must not be released from the site to any waters or the bed and banks of any waters.
- W2** Contaminants must not be released to groundwater.
- W3** Contaminants must not be released to surface waters.

Land

- L1** Contaminants from the activity must not be released to land.

Waste

- R1** Only remove waste from the site by using a transporter lawfully able to transport it and to a place lawfully able to receive it.
- R2** Waste must not be burnt.

Appendix 1: Terms and definitions

Words and phrases used in this environmental authority have the meanings given in the *Environmental Protection Act 1994* and the *Environmental Protection Regulation 2008*. Where a word or term is not defined in the legislation or in this appendix, the ordinary English meaning applies and regard should be given to the *Macquarie Dictionary*.

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 Heritage Protection or its successor or predecessors.

Boundary means within 1m of the cadastral **boundary** of the approved place.

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 condition because of contamination; or
- c) another way prescribed by regulation.

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.

Prescribed contaminants means contaminants listed within Schedule 9 of the *Environmental Protection Regulation 2008*.

L_{Aeq 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 1 hour when the approved **activity** is causing an intermittent noise.

Measures has the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

noxious means harmful or injurious to health or physical well-being.

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

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 public park or gardens; or
- f) for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2008*.

You means the holder of the environmental authority.

Appendix 2: General obligations under the *Environmental Protection Act 1994* and the *Waste Reduction and Recycling Act 2011*

Separate to the requirements of the conditions, the holder of the environmental authority must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act. For example, the holder must be aware of the following provisions of the *Environmental Protection Act 1994*.

General environmental duty

The *Environmental Protection Act 1994*, section 319, states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonable and practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to think about these issues:

- a) the nature of the harm or potential harm;
- b) the sensitivity of the receiving environment;
- c) the current state of technical knowledge for the activity;
- d) the likelihood of successful application of the different measures to prevent or minimise environmental harm that might be taken; and
- e) the financial implications of the different measures as they would relate to the type of activity.

It is not an offence not to comply with the general environmental duty. However maintaining your general environmental duty is a defence against the following acts:

- a) an act that causes serious or material environmental harm or an environmental nuisance;
- b) an act that contravenes a noise standard; and
- c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG.

More information is available on the Department of Environment and Heritage Protection website
www.ehp.qld.gov.au

Duty to notify

Section 320 of the *Environmental Protection Act 1994* explains the duty to notify. The duty to notify applies to all persons and requires a person or company to give notice where serious or material environmental harm is caused or threatened. Notice must be given of the event, its nature and the circumstances in which the event happened. Notification can be verbal, written or by public notice depending on who is notifying and being notified.

The duty to notify arises where:

- a) a person carries out activities or becomes aware of an act of another person arising from or connected to those activities which causes or threatens serious or material environmental harm
- b) while carrying out activities a person becomes aware of the happening of one or both of the following events:
 - 1) the activity negatively affects (or is reasonably likely to negatively affect) the water quality of an aquifer; and
 - 2) the activity has caused the unauthorised connection of two or more aquifers.

For more information on the duty to notify requirements refer to the guideline *Duty to notify of environmental harm* (EM467).

Some relevant offences under the *Environmental Protection Act 1994*

Non-compliance with a condition of an environmental authority (section 430)

Section 430 of the *Environmental Protection Act 1994* requires that a person who is the holder of, or is acting under, an environmental authority must not wilfully contravene, or contravene a condition of the authority.

Environmental authority holder responsible for ensuring conditions complied with (section 431)

Section 431 of the *Environmental Protection Act 1994* requires that the holder of an environmental authority must ensure everyone acting under the authority complies with the conditions of the authority. If another person acting under the authority commits an offence against section 430, the holder also commits an offence, namely, the offence of failing to ensure the other person complies with the conditions.

Causing serious or material environmental harm (sections 437–39)

Material environmental harm is environmental harm that is not trivial or negligible in nature. It may be great in extent or context or it may cause actual or potential loss or damage to property. The difference between material and serious harm relates to the costs of damages or the costs required to either prevent or minimise the harm or to rehabilitate the environment. Serious environmental harm may have irreversible or widespread effects or it may be caused in an area of high conservation significance. Serious or material environmental harm excludes environmental nuisance.

Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 9 of the *Environmental Protection Act 1994*.

It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

Placing a contaminant where environmental harm or nuisance may be caused (section 443)

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

Some of the relevant offences under the *Waste Reduction and Recycling Act 2011*

Littering (section 103)

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 litres or more) at a place. Illegal dumping can also include abandoned vehicles.

Relevant offence under the *Environment Protection (Waste Management) Regulation 2000*

Trackable waste to be given only to licensed transporter (section 41)

A generator of trackable waste must not give the waste to another person to transport it commercially, or in a load of more than 250 kilograms, in a vehicle unless the other person holds, or is acting under, the required authority for transporting the waste in the vehicle.

Responsibilities under other legislation

An environmental authority pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for the activity that might be required by other state and/or Commonwealth legislation. Other legislation for which a permit may be required includes but is not limited to the:

- a) *Aboriginal Cultural Heritage Act 2003*;
- b) *contaminated land provisions of the Environmental Protection Act 1994*;
- c) *Fisheries Act 1994*;
- d) *Forestry Act 1959*;
- e) *Nature Conservation Act 1992*;
- f) *Petroleum and Gas (Production and Safety) Act 2004 / Petroleum Act 1923*;
- g) *Queensland Heritage Act 1992*;
- h) *Sustainable Planning Act 2009*;
- i) *Water Supply (Safety and Reliability) Act 2008*, and
- j) *Water Act 2000*.

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.

END OF PERMIT