

Development licence

Environment Protection Act 2017

Licence number	DL000300045
Issue date	8 January 2024
Last amended	-
Expiry date	8 January 2026
Licence holder	PAPER AUSTRALIA PTY LTD
ACN	061583533
Activity site(s)	Traralgon West Road, Maryvale, Victoria, 3840, Australia
Prescribed permission activities	F03 (Paper pulp mills)

Issued under section 69(1)(a) of the *Environment Protection Act 2017* (the Act).



Richard Gerardi
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Delegate of Environment Protection Authority Victoria (EPA)

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Context

Environment Protection Authority Victoria (EPA) is Victoria's environmental regulator acting in accordance with the *Environment Protection Act 2017* (the Act). Our regulatory role is to work with community, industry and business to prevent and reduce the harmful effects of pollution and waste on Victoria's environment and people.

Why we issue development licences

A range of development activity types are prescribed in the Environment Protection Regulations 2021 (the Regulations) because they give rise to risks of harm to human health or the environment. We issue development licences so applicants can lawfully undertake prescribed development activities. Section 44 of the Act provides that a person must not engage in a prescribed development activity except as authorised by a development licence in respect of that activity.

When we issue development licences

EPA can issue a development licence under section 69(1) of the Act. When issuing a development licence, EPA takes into account a number of factors, including the measures an applicant has taken or proposes to take in order to comply with the Act when engaging in the prescribed permission activity.

EPA can amend, suspend or revoke a licence for a range of reasons. This can include in response to changes in activities, risks or licence holder performance. All development licence details are publicly accessible via the EPA Public Register.

Key information and obligations

Interpretation

For the purposes of this development licence "You" means the "licence holder" identified on the first page. Unless a contrary intention appears, words or terms used in the conditions of your licence have the same meaning as in the Act, and in any regulations made pursuant to the Act.

Compliance

Your licence is subject to conditions. These conditions confer legal obligations on you as the licence holder. Some of these are general in nature, while others require you to do (or not to do) specific things. The requirements of these conditions do not detract from each other in any way, nor do they affect any other duties or obligations with which you are required to comply by law. You must fulfil all duties and perform all obligations set out in this licence or otherwise required by law.

Strict penalties apply for non-compliance with any part of your development licence.

You must comply with the Act and regulations administered by EPA. This includes, but is not limited to, compliance with the general environmental duty (GED).

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Duties under the Act

Under the Act, you have legal obligations in relation to your prescribed and non-prescribed activities. These legal obligations exist to minimise risks of harm to human health and the environment from pollution and waste.

You may be committing an offence and be liable to a penalty under the Act if your actions or omissions constitute a breach of these legal obligations.

General environmental duty

The Act places the onus on you to understand the risks associated with your operation or activity and requires you to minimise the risk of harm. This is called the general environmental duty (GED).

Sections 6 and 25 of the Act provide the legal basis for the GED. These sections state that a person engaging in an activity which may give rise to risks of harm to human health or the environment from pollution or waste must eliminate or minimise those risks, as far as reasonably practicable.

Duty to notify EPA of notifiable incidents

A notifiable incident is a pollution incident that causes or threatens to cause material harm to human health or the environment or is a prescribed notifiable incident. Under section 32 of the Act, you have an obligation to notify EPA of a notifiable incident as soon as practicable after you become aware of the incident.

Duty to take action to respond to harm caused by pollution incident

Under section 31 of the Act, if a pollution incident has occurred as a result of an activity (whether by act or omission) and the pollution incident causes or is likely to cause harm to human health or the environment, a person who is engaging in that activity must, so far as reasonably practicable, restore the affected area to the state it was in before the pollution incident occurred.

Duty to notify of contaminated land

Under section 40(1) of the Act, a person in management or control of land must notify EPA if the land has been contaminated by notifiable contamination as soon as practicable after the person becomes aware of the notifiable contamination.

Notifiable contamination means contamination which is prescribed in the Regulations, or contamination for which the cost of action to remediate the land is likely to exceed \$50,000, or any other prescribed amount.

Duties relating to industrial waste, priority wastes and reportable priority wastes

Under parts 6.4 and 6.5 of the Act, a person has obligations in relation to the generation, receiving, recording, managing, transporting, and disposal of industrial, priority wastes and reportable priority wastes. These duties include:

- Duties of persons depositing industrial waste.

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- Duties of persons receiving industrial waste.
- Duty of persons involved in transporting industrial waste.
- Duties of persons managing priority waste.
- Duty to investigate alternatives to waste disposal.
- Duty to notify of transaction in reportable priority waste.
- Duty of persons transporting reportable priority waste.

For further information on waste classifications see schedule 5 of the Regulations.

Further information and resources

To aid compliance with the Act and the Regulations, Environment Reference Standards (ERS), Compliance Codes, Position Statements and Guidelines have been developed to address a range of environmental objectives, permitted and non-permitted activities and risks.

You should understand how the Victorian environment protection framework applies to you and your activity, operation or business by making yourself familiar with the Act, Regulations, Compliance Codes and other relevant guidance material.

To assist you with understanding your obligations refer to www.epa.vic.gov.au.

Amendment

You can apply at any time to EPA for an amendment to your licence under section 57 of the Act. EPA may also decide to amend a licence under its own initiative according to section 58 of the Act.

Transfer

A person may apply to EPA for the transfer of this licence to a new licence holder pursuant to section 56 of the Act.

Duration of licence and renewal

This development licence is subject to the expiry date identified on the first page of this licence. It will remain in force until that time unless it is first surrendered by the licence holder (with consent from EPA), or it is suspended or revoked by EPA. EPA may decide to extend the term of the licence under section 72 of the Act. Note that an application for a development licence renewal must be submitted to EPA before the licence expiry date

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Development licence structure

Your development licence has multiple parts:

- Conditions
- Appendix 1 – locality plan
- Appendix 2 – activity plan
- Appendix 3 – contour plan
- Appendix 4 – waste acceptance table
- Appendix 5 – air discharge tables
- Appendix 6 – water discharge table
- Appendix 7 – landfill cell table

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Conditions

General conditions

DL_G01	<p>A copy of this licence must be kept at the site and be easily accessible to persons who are engaging in an activity conducted at the site. Information regarding the requirements of the licence and the Act duties must be included in site induction and training information.</p>
DL_G02	<p>The development of the reconfiguration of the Mill must be conducted in accordance with the listed approved plans and documents:</p> <ul style="list-style-type: none">(a) APP027019 – Application Details.pdf(b) Opal Australian Paper_Development Licence Application.pdf(c) IS451000_Opal Australian Paper_Development Licence Application_Rev5 (RFI submission).pdf(d) Opal DL Public Submission Response – Nov 2023(e) Response to RFI004153 - Tech Questions - Nov 2023 - updated response. In the event of any inconsistency between the approved documents and the conditions of this permission, the conditions of this permission shall prevail.
DL_G03	<p>Subject to the following conditions, this development licence allows you to: modify the existing pulp and paper mill from a three-plant operation to a two-plant operation that involves the reconfiguration of the currently operating BKM (Batch Kraft Mill) and NSSC (Neutral Sulphite Semi Chemical) Pulp Mill to a configuration of a CKM (Continuous Kraft Mill) and NSSC Pulp Mill, taking the BKM offline, and associated works.</p>
DL_G04	<p>This permission does not take effect until a copy of any planning permit or amendment to a planning scheme required under the Planning and Environment Act 1987 (Vic) and related planning schemes has been provided to the Authority by the applicant.</p>
DL_G05	<p>This permission expires:</p> <ul style="list-style-type: none">(a) on the issue or amendment of an operating licence or permit relating to all activities covered by this permission;(b) when the Authority advises in writing that all activities covered by this permission have been satisfactorily completed and the issue or amendment of an operating licence or permit is not required; or(c) on the expiry date listed on the front page of this permission.
DL_G07	<p>You must:</p> <ul style="list-style-type: none">(a) develop and maintain a decommissioning plan that is in accordance with the current decommissioning guidelines published by the Authority;(b) provide the decommissioning plan to the Authority upon request;(c) supply to the Authority an updated detailed decommissioning plan 40 business days prior to commencement of decommissioning, if you propose to divest a section of the licensed site, cease part or all of the licensed activity or reduce the basis upon which the licence was granted to a point where licensing is no longer required; and

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(d) decommission the licensed site in accordance with the detailed decommissioning plan, to the satisfaction of the Authority and within any reasonable timeframe which may be specified by the Authority.

Standard conditions

DL_C01	Commissioning activities must be undertaken in accordance with the commissioning plan approved by the Authority.
DL_C02	<p>You must immediately notify the Authority by calling 1300 EPA VIC (1300 372 842) in the event of:</p> <ul style="list-style-type: none">a) A discharge, emission or deposit which gives rise to, or may give rise to, actual or potential harm to human health or the environment;b) A malfunction, breakdown or failure of risk control measures at the site which could reasonably be expected to give rise to actual or potential harm to human health or the environment; orc) Any breach of the licence.
DL_C05	<p>1. You must develop a risk management and monitoring program for your activities which:</p> <ul style="list-style-type: none">(a) identifies all the risks of harm to human health and the environment which may arise from the activities you are engaging in at your activity site;(b) clearly defines your environmental performance objectives;(c) clearly defines your risk control performance objectives;(d) describes how the environmental and risk control performance objectives are being achieved;(e) identifies and describes how you will continue to eliminate or minimise the risks in 1(a) (above) so far as reasonably practicable; and(f) describes how the information collated in compliance with this clause, is or will be disseminated, used or otherwise considered by you or any other entity. <p>2. The risk management and monitoring program must be:</p> <ul style="list-style-type: none">(a) documented in writing;(b) signed by a duly authorised officer of the licensed entity(c) made available to the Authority on request.
DL_C07	<p>Within 60 days of the completion of the approved activities, you must provide to EPA a written report that summarises the activities undertaken and includes:</p> <p>(a) Assessment of commissioning monitoring results to confirm results are consistent with the predicted emission from the reconfiguration, including:</p> <ul style="list-style-type: none">(i) Assessment of emissions for SO₂ including an assessment of CEMS data compared to NATA accredited air monitoring data(ii) Assessment of Odour emissions to verify that the new infrastructure to capture and redirect non-condensable gases is working effectively(iii) Results of the odour risk assessment

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	(iv) Results of the assessment of the effective noise levels of the Mill (v) Assessment of quality of Surface Water Discharge to Latrobe River to verify results are consistent with the predicted quality of water discharge
	(b) Details of a desktop assessment to be undertaken to identify optimum wastewater treatment technology and assessment of those options for implementation at the Mill.
DL_W03	You must notify the Authority when the construction associated with the development activities covered by this approval has been completed.
DL_W04	You must not commission or use the operating components of the development activities without the written approval of the Authority.

Specific conditions

	At least 15 business days before the commencement of any commissioning, you must provide to the Authority a commissioning plan that include(s):
DL_R01	(i) Air monitoring using CEMS and NATA accredited stack testing to demonstrate the relationship between the SO ₂ and SO ₃ stack tests and SO ₂ as recorded by the CEMS (ii) Details of how Australia Paper Pty Ltd will achieve NATA accreditation of the sampling and analysis of SO ₂ samples taken from the stack by the in house laboratory (iii) Odour monitoring of the new infrastructure to capture and redirect non-condensable gases to ensure that it is working effectively (iv) Odour risk assessment to confirm how the reconfiguration has impacted the odour profile of the site including (but not limited to) identifying all activities and processes on site with the potential to produce odour, testing for odour from point and diffuse discharge points to ascertain if there has been a reduction or change in emissions, assess the activities and processes on site for their odour potential based on the size of activity, characteristics and intensity of odours and the potential pathways for odour transmission beyond the premises boundary (v) Noise monitoring of the effective noise levels of the mill during commissioning of the works following the reconfiguration (vi) Surface Water Discharge Monitoring of the colour, adsorbable organohalogen and 2,3,7,8-tetrachlorodibenzo-p-dioxin of the discharge to the Latrobe River (vii) Details of how the BKM, deinking plant, paper machine #2 and #5, finishing and converting facilities and the bleach machine will be isolated from the reconfigured plant to ensure they are not sources of fugitive emissions.
DL_R02	You must not commence commissioning of the operating components of the development activities until you have received the Authority's written approval of the reports which is required pursuant to condition(s) DL_R01.

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DL_R03

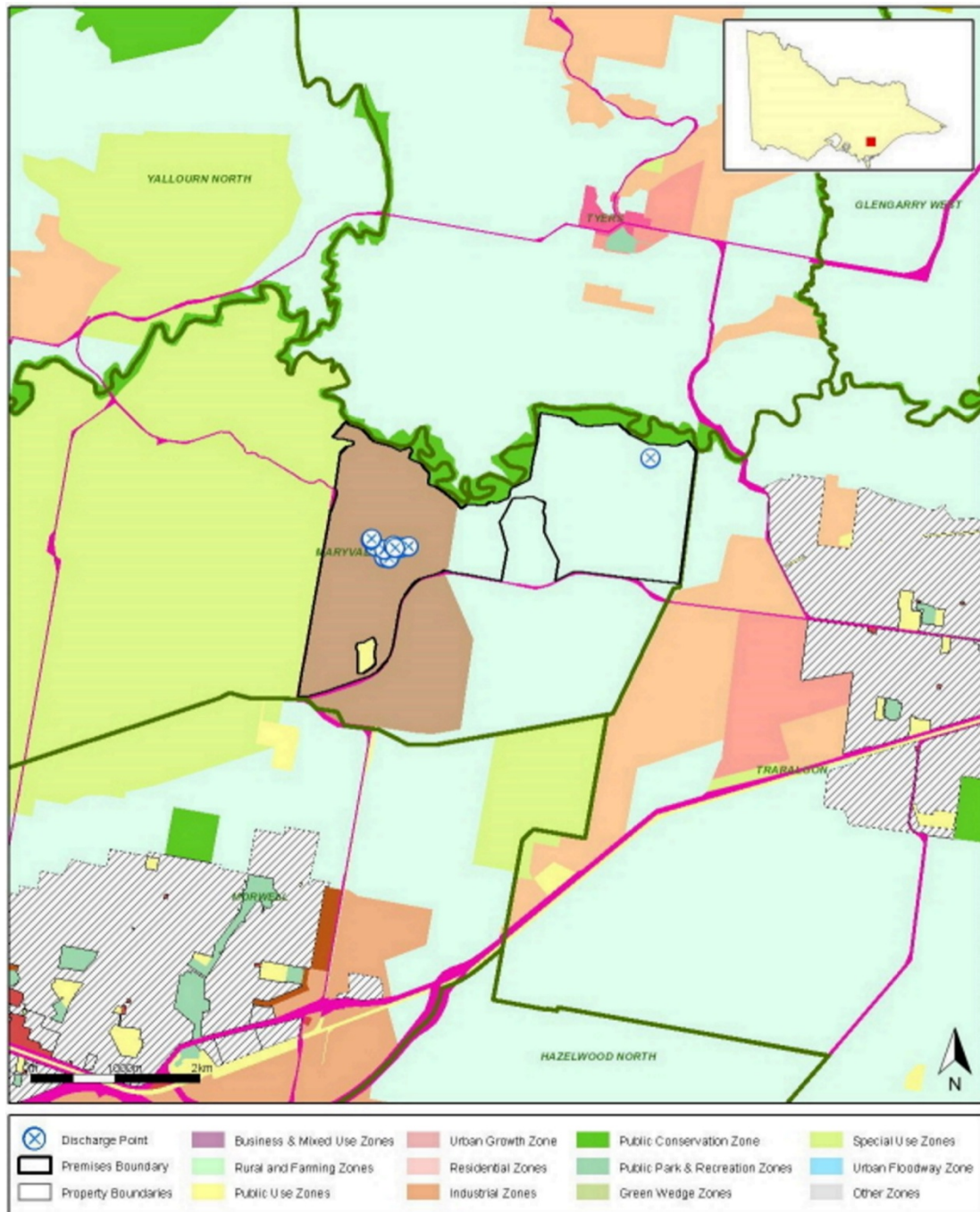
You must not commence operation of the works until the Authority's written approval of the report required by condition(s) DL_C07 has been received.

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Appendices

Appendix 1 – locality plan



Before relying on the information in this map, carefully evaluate its accuracy, currency, completeness and relevance. Obtain appropriate professional advice before using this information.

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Appendix 2 – activity plan



Before relying on the information in this map, carefully evaluate its accuracy, currency, completeness and relevance. Obtain appropriate professional advice before using this information.

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Appendix 3 – contour plan

There is no contour plan for this licence.

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Appendix 4 - waste acceptance table

There is no waste acceptance for this licence.

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Appendix 5 – air discharge tables

Discharge Point ID	Discharge Point Name	Indicator	Limit Type	Unit	Discharge Limit
Bubble	Total of DPs 36, 44, 45, 51, 54, 55	Carbon monoxide	Maximum	g/min	3500.00000
		Oxides of nitrogen (as NO ₂)	Maximum	g/min	2500.00000
DP44	Recovery Boiler #6	Oxides of sulfur (as SO ₂)	90th percentile	g/min	1500.00000
		Oxides of sulfur (as SO ₂)	Maximum	g/min	5000.00000

g/min = grams per minute

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Appendix 6 –water discharge table

Discharge Point ID	Discharge Point Name	Indicator	Limit Type	Unit	Discharge Limit
W1	Discharge to Latrobe River	Flow Rate	Annual	ML/year	14600.00000
W1	Discharge to Latrobe River	Colour	Annual median	pcu	170.00000
W1	Discharge to Latrobe River	Colour	Maximum	pcu	230.00000
W1	Discharge to Latrobe River	Sulfate	Maximum	mg/L	400.00000

mg/L = milligrams per litre

pcu = Platinum-Cobalt Units

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Appendix 7 – landfill cells

There are no landfill cells for this licence.