

Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00988409

This registration certificate is issued by the administering authority and takes effect from: 19-OCT-2009.

The anniversary day for the purposes of the Annual Return remains: 15 December.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity listed below at the following place subject to the conditions set out in a development approval attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-

Mr Jason Kerr
Gatton Esk Road
ESK QLD 4312

Place:-

Lot 12 Plan RP883144

Located at:-

Gatton Esk Road, ESK QLD 4312

Registered Activity:-

ERA 25 Meat processing Threshold 1(a) - processing, not including rendering, in a year, 1000t to 5000t of meat or meat products



Scott Blanchard
Delegate of the Chief Executive
Department of Environment and Resource Management
05-MAR-2010



Notice of concurrence agency response

Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

This notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the Integrated Planning Act 1997, to advise you of a decision or action.

Enquiries to : Adam Burt
Telephone : (07) 3225 1079
Your reference : RCU1285-DA2896
Our reference : SR0508DA - STH5043

Council of the Shire of Esk
2 Redbank Street
ESK QLD 4312

CC Applicant
Trevor Hugh Kerr, Lynnette Carmel Kerr and
Jason Bradley Kerr
C/- Scott Osbourne
PO Box 196
NARANGBA QLD 4504

Attention: Ms Julie Kowaltzke,

Re: Application (No. DA2896) for development approval by Trevor Hugh Kerr, Lynnette Carmel Kerr and Jason Bradley Kerr for assessable development to be carried out at a place situated at Gatton - Esk Road, ESK QLD 4312

Pursuant to the following items of Schedule 2 of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency is the concurrence agency for the development application:

Item 7 of Schedule 2 of the *Integrated Planning Regulation 1998*

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above as attached.

The Environmental Protection Agency, as the administering authority for the *Environmental Protection Act 1994* is required by section 540 to maintain a register of development approvals for environmentally relevant activities.

It would be appreciated if Council could provide a signed hard copy of the final development approval issued by Council (which includes the Agency's concurrence conditions), and an electronic copy of that development approval. The signed "hard copy" can be posted to the Agency's Environmental Support Officer.

Environmental Support Officer
Environmental Protection Agency
Southern Regional Office (Brisbane)
GPO Box 2771
BRISBANE QLD 4001

The electronic copy for the electronic register can be e-mailed in this instance to the Environmental Support Officer, Cathy Ufer at e-mail address: cathy.ufer@epa.qld.gov.au.



The EPA has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

Should you require any further information please do not hesitate to contact Adam Burt on either phone (07) 3225 1079 or e-mail: adam.burt@epa.qld.gov.au

Signed

29/4/04

Date

D J Brown
Manager (Licensing)
Delegate of Administering Authority
Environmental Protection Act 1994

Concurrence Agency Response

Section 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

Applicant:	Trevor Hugh Kerr, Lynnette Carmel Kerr and Jason Bradley Kerr
Assessment Manager	DA2896
Application number:	
EPA Development	SR0508DA
Application number:	
Date application received by EPA:	23 January 2004
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i> and subordinate legislation
Jurisdiction::	Item 7 of Schedule 2 of the <i>Integrated Planning Regulation 1998</i>

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

32(b)(i) Meat processing - Slaughtering animals for commercially producing meat or meat products for human consumption, or processing (other than smoking mentioned in item 35) or packaging of meat or meat products for human consumption if paragraph (a) does not apply in works (other than a retail butcher shop) having a design production capacity of 1 000 t or more but less than 3 000 t per year

at the following place(s):

Lot 12 on RP883144 Parish of Esk County of Cavendish

located at:

Gatton - Esk Road, ESK QLD 4312

Type of development

Material change of use of premises is:

- a material change in the intensity or scale of the use of the premises

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that conditions must attach to any development approval

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18(7) of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions. The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Amendment Regulation (No. 1) 1998* for the protection of the environment against the release or potential release of contaminants that will or may cause environmental harm. Development conditions placed on the development approval for the environmentally relevant activity are in accordance with section 79 of the *Environmental Protection Act 1994* ('the EP Act').

The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response, are required in accordance with section 92 of the EP Act and are relevant to the object and policies pertaining to the EP Act.

Additional comments or advice about the application

Nil

Additional information for applicants

This concurrence response pursuant to section 79 the EP Act applies only to the environmentally relevant activity(ies) component of the development and does not remove the need to obtain any further approval for this development which may be required pursuant to this or other legislation, both State and Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

It is a requirement of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined under schedule 2 of the *Environmental Protection Act 1994*) is being carried out on this land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming aware the activity is being carried out, give notice to the Environmental Protection Agency. A list of Notifiable Activities is provided within Schedule 2 of the *Environmental Protection Act 1994*.



Signed

29/4/04

Date

D J Brown
Manager (Licensing)
Delegate of Administering Authority
Environmental Protection Act 1994

Conditions of the development approval

As part of the concurrence agency response the following schedules of development conditions are to be attached to the development approval:

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 this development 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 authorises the ERA. It does not authorise environmental harm unless a concurrence agency condition within this development approval explicitly authorises that harm. Where there is no condition or the development approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

- Schedule A - Activity
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise
- Schedule E - Waste
- Schedule F - Land
- Schedule G - Community
- Schedule H - Definitions
- Schedule I - Maps / Plans

Schedule A - Activity

Prevent and /or minimise likelihood of environmental harm

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

NOTE: This approval authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this approval explicitly authorises that harm. Where there is no condition or the approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

Maintenance of measures, plant and equipment

- (A2) The holder must:
- install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and
 - maintain such measures, plant and equipment in a proper and efficient condition; and
 - operate such measures, plant and equipment in a proper and efficient manner.



Site based management plan

- (A3) From commencement of the activity, a Site Based Management Plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all Environmentally Relevant Activities that are carried out.

The site based management plan must address the following matters:

- Environmental commitments - a commitment by senior management to achieve environmental goals.
- Identification of environmental issues and potential impacts.
- Control measures for routine operations to minimise likelihood of environmental harm.
- Contingency plans and emergency procedures for non-routine situations.
- Organisational structure and responsibility.
- Effective communication.
- Monitoring of the contaminant releases.
- Conducting environmental impact assessments.
- Staff training.
- Record keeping.
- Periodic review of environmental performance and continual improvement.

Records

- (A4) 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.
- (A5) Records must be kept for five years, and must include the following information:
- date of pickup of waste;
 - description of waste;
 - cross reference to relevant waste transport documentation;
 - quantity of waste;
 - origin of the waste;
 - destination of the waste; and
 - intended fate of the waste, for example, type of waste treatment, reprocessing or disposal.

NOTE: Records of documents maintained in compliance with a waste tracking system established under the *Environmental Protection Act 1994* or any other law for regulated waste will be deemed to satisfy this condition.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Nuisance

- (B1) The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any odour sensitive place.

Dust nuisance

- (B2) The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Release to waters

- (C1) Contaminants must not be released from the site to any waters or the bed and banks of any waters.

Stormwater management

- (C2) There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise and vibration

Noise nuisance

- (D1) Noise from activities must not cause an environmental nuisance at any noise affected premises.
(D2) All noise from activities must not exceed the levels specified in Schedule D - Table 1 at any noise affected premises.

Schedule D - Table 1 (Noise limits)

Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am
Noise measured at a 'Noise sensitive place'						
LA10, adj, 10 mins	55	50	40	55	50	40
LA1, adj, 10 mins	60	55	45	60	55	45
Noise measured at a 'Commercial place'						
LA10, adj, 10 mins	60	55	45	60	55	45
LA1, adj, 10 mins	65	60	50	65	60	50

Noise monitoring

- (D3) When requested by the Administering Authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:
- 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.
- (D4) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste**Waste handling**

- (E1) All regulated waste removed from the site must be removed by a person who holds a current approval to transport such waste under the provisions of the *Environmental Protection Act 1994*.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land**Land disposal**

- (F1) The irrigation of effluent must be carried out in a manner such that:
- vegetation is not damaged;
 - soil erosion and soil structure damage is avoided;
 - there is no surface ponding of effluent;
 - percolation of effluent beyond the plant root zone is minimised;
 - the capacity of the land to assimilate nitrogen, phosphorus, salts, organic matter as measured by oxygen demand and water is not exceeded; and
 - the quality of ground water is not adversely affected.
- (F2) Notices must be prominently displayed on any effluent irrigation area warning the public that the area is irrigated with effluent and not to use or drink the effluent. These notices must be maintained in a visible and legible condition.
- (F3) Conduct and keep records of any monitoring programs of contaminant releases from the treatment plant at the monitoring points, frequency, and for the parameters specified in Schedule F - Table 2.
- (F4) Monitoring of wastewater must be undertaken and records kept of a monitoring program of contaminant releases to the irrigation area of the parameters and the frequency specified in Schedule F - Table 2.

Schedule F - Table 2 (Monitoring program)

Quality Characteristics	Units	Frequency
pH	Units	Every three months
Conductivity	µs/cm	Every three months
Oil and Grease	mg/L	Every three months
Total Nitrogen	mg/L	Every three months
Total Phosphorous as P	mg/L	Every three months
Suspended Solids	mg/L	Every three months
5-day Biochemical Oxygen Demand	mg/L	Every three months

- (F5) The daily volume of contaminants released to land must be determined or estimated by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.
- (F6) When conditions prevent the irrigation of treated effluent to land (such as during rain events), alternative measures must be taken to store/dispose of effluent (such as wet weather storage, tankering off site or by disposal via a third party agreement to an alternative site).

Monitoring of groundwater

- (F7) The holder of this environmental authority must maintain bores for the purpose of sampling and analysing groundwater at locations representative of the areas under wastewater irrigation.
- (F8) Each groundwater-monitoring bore must be fitted with a locked cap at all times other than at the time of sampling.
- (F9) The holder of this environmental authority is responsible for ensuring a groundwater-monitoring program is performed which complies with the following requirements:
- 1 All determinations of the quality of contaminants released to waters must be made in accordance with methods prescribed in the Environmental Protection Agency, *Water Quality Sampling Manual, third Edition, December 1999*, or more recent editions or supplements to that document as such become available.
 - 2 All determinations of the quality of contaminants released must be performed by a person or body possessing appropriate experience and qualifications to perform the required measurements.
 - 3 Standing water levels in metres must be measured and recorded on each occasion that samples are obtained. Such measurement must be undertaken prior to any disturbance by sampling and must be reported as the depth in metres from the top edge of the casing collar to the water surface within the bore.
 - 4 Samples of groundwater must be taken at periods not exceeding six (6) months from each of the bores.
 - 5 The samples obtained in accordance with paragraph 4. of this condition must be analysed for
 - (i) pH;
 - (ii) electrical conductivity;
 - (iii) total dissolved solids;
 - (iv) chemical oxygen demand;
 - (v) total nitrogen; and
 - (vi) total phosphorus.

Soil Monitoring of Irrigated Area(s)

- (F10) The holder of this environmental authority is responsible for sampling and analysing topsoil and subsoil samples taken at periods not exceeding six (6) months, preferably following removal of crops, from the contaminant release areas. The samples must be analysed for:
- a. pH;
 - b. salinity;
 - c. total nitrogen;
 - d. total phosphorus;
 - e. total potassium;
 - f. exchangeable sodium percentage (ESP);
 - g. organic carbon;
- (F11) All determinations of the condition of the contaminant release area must be performed by a person or body possessing appropriate experience and qualifications to perform the required measurements.

END OF CONDITIONS FOR SCHEDULE F

Schedule G - Community

Complaint response

- (G1) 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.

END OF CONDITIONS FOR SCHEDULE G

Schedule H - Definitions

Words and phrases used throughout this licence or development approval are defined below:
Where a definition for a term used in this approval is sought and the term is not defined within this approval the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

Word Definitions

"administering authority" means the Environmental Protection Agency or its successor.

"you" means the holder of this Environmental Authority or owner / occupier of the land which is the subject of this Development Approval.

"site" means the place to which this environmental authority relates or the premises to which this development approval relates.

"authorised place" means the place authorised under this environmental authority/development approval for the carrying out of the specified environmentally relevant activities.

"this authority" means this environmental authority/development approval.

"authority" means level 1 licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the *Environmental Protection Act 1994*.

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Integrated Planning Act 1997*

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

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

"nuisance sensitive place" includes -

- a dwelling, residential allotment, 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 under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area; or
 - a public thoroughfare, park or gardens; or
 - a place used as a workplace, an office or for business or commercial purposes.
- and includes a place within the curtilage of such a place reasonably used by persons at that place.

" $L_{A\ 10, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.

" $L_{A\ 1, \text{adj}, 10 \text{ mins}}$ " 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

" $L_{A, \text{max adj}, 1}$ " means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

"noise affected premises" means a "noise sensitive place" or a "commercial place"

"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.
- and includes the curtilage of such place.

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

"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.

"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.

"land" in the "land schedule" of this document means land excluding waters and the atmosphere.

"mg/L" means milligrams per litre.



"regulated waste" means non-domestic waste mentioned in Schedule 7 of the Environmental Protection Regulation 1998 (whether or not it has been treated or immobilised), and includes:

- for an element - any chemical compound containing the element; and
- anything that has contained the waste.

"annual return" means the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the development approval.

END OF DEFINITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

There are no attachments to this schedule.

END OF CONDITIONS FOR SCHEDULE I

END OF CONCURRENCE AGENCY RESPONSE