

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE00155805

This registration certificate is issued by the administering authority and takes effect from: 12 July 2011.

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

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:-

Cardinal Seafoods Pty Ltd
93 Prosperity Place
GEEBUNG QLD 4034

Place:-	Located at:-	Registered Activity:-	Development Approval:-
Lot 1 Plan RP898627	93 Prosperity Place, GEEBUNG QLD 4034	ERA 27 Seafood processing - processing, in a year, 500t or more of seafood or seafood products	IPCE00615707 (formerly SR1749)



Delegate
Department of Environment and Resource Management
Environmental Protection Act 1994

12-JUL-2011



Environmental Protection Agency

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Concurrence Agency Response

Integrated Planning Act 1997 ss 3.3.16 and 3.3.18

APPLICATION NO. DRS/USE - 723026

EPA No. DA117

APPLICANT Cardinal Seafood Pty Ltd

DATE RECEIVED 14 September 2000

RELEVANT LAWS AND POLICIES Environmental Protection Act 1994 & associated policies

DESCRIPTION: Development application for a material change of use for the development of a seafood processor, namely environmentally relevant activity (ERA) No. 34 Seafood Processing.

At the following place:

Lot	Plan
1	RP898627

located at: 93 Prosperity Place
GEEBUNG QLD 4034

Type of development

Material change of use of premises -

- ☒ the start of a new use of the premises; or
- ☐ the re-establishment on the premises of a use that has been abandoned; or
- ☐ a material change in the intensity or scale of the use of the premises; or
- ☐ the holder of an environmental authority, or development approval, for an environmentally relevant activity proposes to carry out works for the construction or alteration of premises, or for the installation or alteration of plant or equipment in premises, for carrying out the activity; and the construction, alteration or installation will result in an increase of 10% or more in the release of contaminant into the environment under the authority or approval.

Type of environmentally relevant activity(s) (ERA(s))

The development application relates to the following ERA(s):

ERA 34 -Seafood processing - commercially processing seafood, including removing the scales, gills, intestines or shells, filleting, chilling, freezing or packaging seafood in works having a design production capacity of more than 100 t per year.

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 s.3.3.18(7) of the Integrated Planning Act 1997 and s.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 60ZA of the Environmental Protection Act 1994.

The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response, are required in accordance with section 46 of the *Environmental Protection Act 1994* (EP Act) and are relevant to the object and policies pertaining to the EP Act.

ADDITIONAL COMMENTS OR ADVICE ABOUT THE APPLICATION

Nil

Environmentally Relevant Activity:
34 - Seafood processing

ADDITIONAL INFORMATION FOR APPLICANTS

This concurrence response pursuant to section 60ZB the *Environmental Protection Act 1994* 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.

signed



R T Anderson
Manager Licensing
Brisbane District
Southern Region, EPA



Conditions of the development approval

The following concurrence agency development conditions are to be attached to the development approval:

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 - Self Monitoring and Reporting

Schedule I - Definitions

Schedule J - Plan of Development

SCHEDULE A - GENERAL DEVELOPMENT CONDITIONS

Maintenance of Plant and Equipment

(A1) The holder of this development approval must:

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

(A2) A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A3) Except as otherwise stated by the development conditions of this development approval, any record or document required to be kept by a development condition of this development approval must be kept at the premises to which this development approval relates 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

(A4) 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 percent (10%) or more in the quantity of the contaminant to be released into the environment.

End of Development Conditions for Schedule A

SCHEDULE B - AIR

Noxious or Offensive Odour

- (B1) Notwithstanding any other development condition of this development approval, no release of contaminants from the premises to which this development approval relates is to cause a noxious or offensive odour beyond the boundaries of the premises to which this development approval relates.

End of Development Conditions for Schedule B

SCHEDULE C - WATER

Release of Contaminants to Waters

- (C1) Contaminants must not be directly or indirectly released from the premises to which this development approval relates to any waters or the bed and banks of any waters except:
- (i) as permitted under the water schedule; or
 - (ii) as permitted under the stormwater management schedule; or
 - (iii) to a sewer except as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Development Conditions for Schedule C

SCHEDULE D - STORMWATER MANAGEMENT

- (D1) Except as otherwise provided by the development conditions of the stormwater management schedule and the water schedule of this development approval, the environmentally relevant activity must be carried out by such practicable means necessary to prevent and/or minimise the release or likelihood of release of contaminated runoff from the premises to which this development approval relates to any stormwater drain or waters or the bed or banks of any such waters. "Contaminated runoff" for the purposes of this development condition means stormwater and/or stormwater runoff that contains contaminants that may cause environmental harm.

Minor Chemical Storage Systems

- (D2) Minor Chemical and fuel drum storages must be within roofed areas, provided with impervious concrete bases and stored well away from stormwater drains and pits.

End of Development Conditions for Schedule D

SCHEDULE E - LAND APPLICATION

Release of Contaminants to Land

- (E1) There must be no release nor likelihood of release of any contaminants to land that will or may cause environmental harm or contribute to contamination of such land.

End of Development Conditions for Schedule E

SCHEDULE F - NOISE**Emission of Noise**

- (F1) In the event of a complaint about noise that constitutes 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 premises to which this development approval relates must not result in levels greater than those specified in Table 1 of Schedule F - Noise.

SCHEDULE F TABLE 1

Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj, T}$	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 $L_{Amax\ adj, T}$	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

Note: The noise limits specified in condition F1 apply to noise levels from plant and equipment associated with the undertaking of the environmentally relevant activity and to noise from refrigerated units mounted to trucks operating on site. The noise limits specified in condition F1 do not apply to noise associated with the manoeuvring of trucks occurring on site.

- (F2) Trucks with mounted refrigeration units are only permitted to operate at the premises to which this development approval relates between the hours of 6.00am -7.00pm Monday to Friday.

End of Development Conditions for Schedule F

SCHEDULE G - WASTE MANAGEMENT

General

- (G1) The holder of this development approval must not:
- (i) burn waste at or on the premises to which the development approval relates;
or
 - (ii) allow waste to burn or be burnt at or on the premises to which the development approval relates; nor
 - (iii) remove waste from the premises to which development approval relates and burn such waste elsewhere other than an appropriate licensed waste disposal facility that can lawfully burn such waste.
- (G2) Records of trade waste agreements must be made available for inspection on request by an authorised person.
- (G3) All storage of raw waste or processed materials must be sealed or covered to prevent loss of contents or exposure of the contents to the atmosphere.

Off Site Movement of Regulated Waste

- (G4) Where regulated waste is removed from the premises to which this development approval relates (other than by a release as permitted under another schedule of this development approval), the holder of this development approval must monitor and keep records of the following:
- (i) the date, quantity and type of waste removed;
 - (ii) name of the waste transporter and/or disposal operator that removed the waste; and
 - (iii) the intended treatment/disposal destination of the waste.

(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.)

- (G5) All transport of regulated waste generated in carrying out the environmentally relevant activity must be transported by a proper and appropriate licensed waste transporter that can lawfully transport such waste.
- (G6) All disposal of regulated waste generated in carrying out the environmentally relevant activity must be to a proper and appropriate licensed waste disposal facility that can lawfully accept such waste or to a facility that can lawfully and appropriately reuse and/or recycle such waste, except as specifically provided for under the development conditions of this development approval.

Notification of Improper Disposal of Regulated Waste

- (G7) If the holder of this development approval becomes aware that a person has removed regulated waste from the premises to which this development approval relates and disposed of the regulated waste in a manner which is not authorised by this development approval or is improper or unlawful, then the holder 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 Development Conditions for Schedule G

SCHEDULE H - SELF MONITORING AND REPORTING

Complaint Recording

- (H1) All complaints received by the holder of this development approval relating to releases of contaminants from operations at the premises to which this development approval relates must be recorded 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;

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- (v) name and person responsible for investigating complaint; and
 - (vi) action taken as a result of the complaint investigation and signature of responsible person.
- (H2) The complaints record required by condition H1 must be maintained for a period of not less than five (5) years.

Incident Recording

- (H3) A record must be maintained of events including but not limited to:
- (i) the time, date and duration of equipment malfunctions, that may affect the environmental performance of the premises to which this development approval relates; and
 - (ii) any shut-downs of equipment upon which the environmental performance of the premises to which this development approval relates depends.
 - (iii) any emergency involving the release of contaminants reasonably likely to cause material or serious environmental harm requiring the use of fire fighting equipment.

Noise Monitoring

- (H4) For the purposes of investigating a complaint of intrusive noise which the administering authority does not consider to be frivolous or vexatious and also for checking compliance with Condition F1, monitoring and recording of the noise levels from the activity/activities must be undertaken for a least the following descriptors, characteristics and conditions:
- (i) $L_{Amax, adj T}$
 - (ii) $L_{A_{bg, T}}$ (or $L_{a90, T}$);
 - (iii) $L_{AN, T}$ (where N equals statistical levels of 1, 10, 50, 90 and 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.
- (H5) In conjunction with the measurement and recording of the noise, the location, the date and the time of the recording must be included in the record.
- (H6) Noise monitoring must be undertaken to investigate any complaint of intrusive noise upon receipt of a written request from the administering authority to carry out such monitoring.

- (H7) The method of measurement and reporting of noise levels must comply with the Department of Environment and Heritage Noise Measurement Manual, third edition, March 2000, or more recent additions or supplements to that document as become available.
- (H8) 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.
- (H9) Records must be kept of the results of all monitoring of noise levels and other information required to be recorded in conjunction with such monitoring for a period of at least five (5) years.

End of Development Conditions for Schedule H

SCHEDULE I - DEFINITIONS

For purposes of this development approval the following definitions apply.

- (I1) For the purposes of this development approval any term not otherwise defined in the Act and any subordinate legislation made pursuant to the Act or in the definitions schedule of this development approval has the meaning conferred to that term in its common usage.
- (I2) In the event of any inconsistency arising between the meaning of any term provided in the definitions schedule of this development approval and any common usage of that term, the meaning conferred in the definitions schedule of this development approval prevails.
- (I3) "holder" means the owner, the owners successors in title and any occupier of the premises to which this development approval relates. [*Integrated Planning Act 1997*, Section 3.5.28].
- (I4) "Act" means the *Environmental Protection Act 1994*.
- (I5) "administering authority" means the Environmental Protection Agency or its successor.
- (I6) "authorised person" means an authorised person as defined under the *Environmental Protection Act 1994*.
- (I7) "land" means land excluding waters and the atmosphere.

- (I8) “regulated waste” means non-domestic waste mentioned in Schedule 8 of the *Environmental Protection Regulation 1998* (whether or not it has been treated or immobilised), and includes:
- (a) for an element - any chemical compound containing the element; and
 - (b) anything that has contained a regulated waste.
- (I9) “noxious” means harmful or injurious to health or physical well-being.
- (I10) “offensive” means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.
- (I11) “ $L_{Amax\ adj, T}$ ” 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.
- (I12) “background noise level” means either:
- $L_{A90, T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than fifteen (15) minutes, using Fast response, or
 - $L_{avg, T}$ 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.
- (I13) “ $Max L_{pA, T}$ ” means the maximum A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.
- (I14) “noise sensitive place” means -
- (a) a dwelling, mobile home or caravan park, residential marina or other residential premises;
 - (b) a motel, hotel or hostel;
 - (c) a kindergarten, school, university or other educational institution;
 - (d) a medical centre or hospital;
 - (e) a protected area; or
 - (f) a park or gardens.
- (I15) “commercial place” means a place used as an office or for business or commercial purposes.

(I16) "dwelling" means any of the following structures or vehicles that is principally used as a residence:

- (a) a house, unit, motel, nursing home or other building or part of a building;
- (b) a caravan, mobile home or other vehicle or structure on land;
- (c) a watercraft in a marina.

(I17) "intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration -

- (a) is clearly audible to, or can be felt by, an individual; and
- (b) annoys the individual.

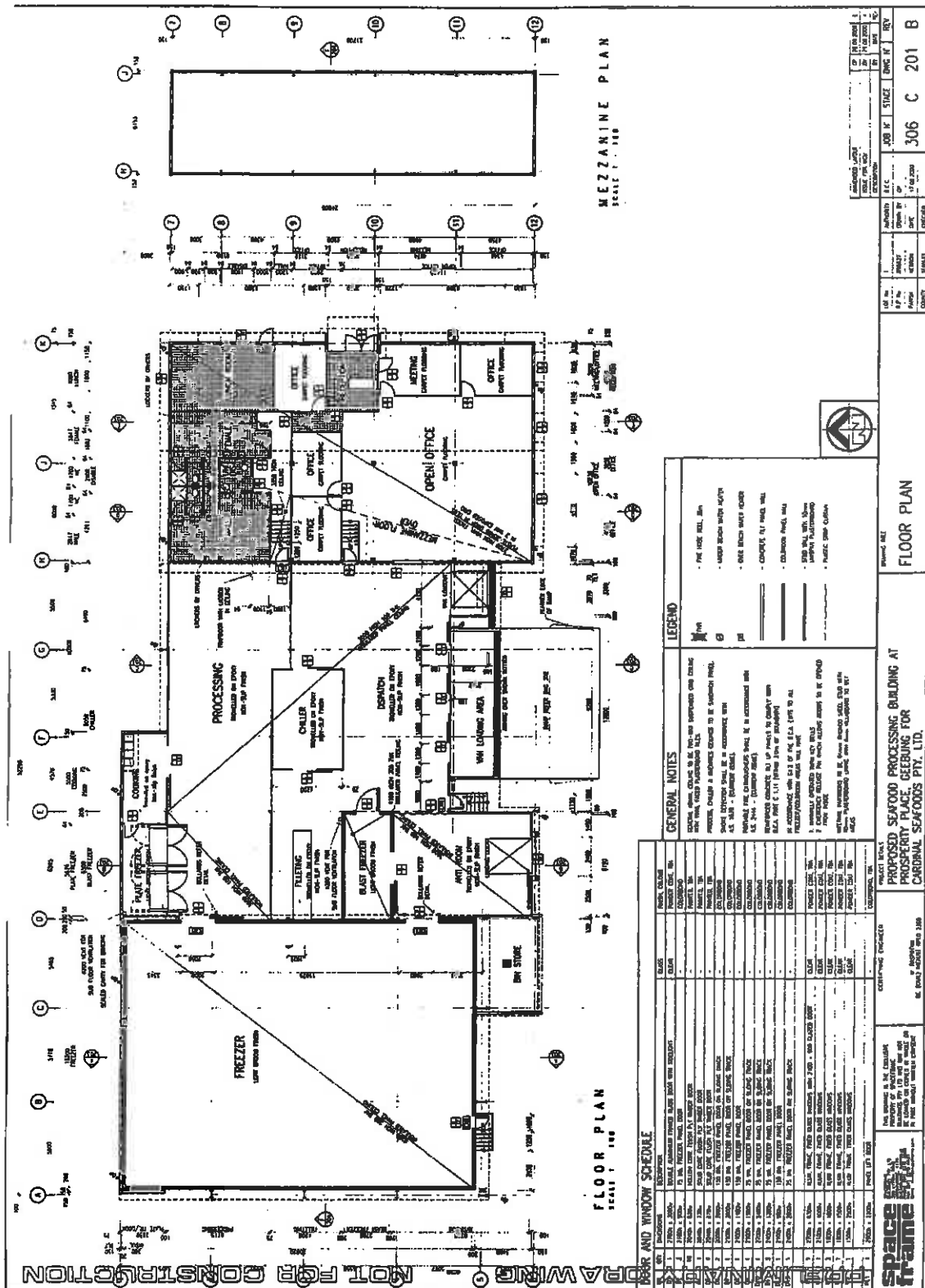
In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be had to Australian Standard 1055.2 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations.

(I18) "waters" includes the bed and/or banks of any water(s), stormwater runoff and any part of a river, stream, lake, lagoon, pond, dam, swamp, wetland, unconfined surface water, underground water, unconfined water, natural or artificial watercourse, non tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter.

End of Development Conditions for Schedule I

Environmentally Relevant Activity:
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SCHEDULE J - PLAN OF DEVELOPMENT



End of Conditions for Schedule J

Never granted?

Environmental Protection Act 1994

Licence No. SR1749

Section 60J(1)

Under the provisions of Chapter 3, Part 4A of the Environmental Protection Act 1994 this licence is issued:

To: Cardinal Sea Foods Pty Ltd
Address: 360 Lytton Road
MORNINGSIDE QLD 4170

in respect of carrying out the environmentally relevant activities at the following places:

Lot	Plan
1	RP898627

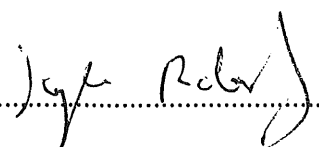
located at: 93 Prosperity Place
GEEBUNG QLD 4034

ERA 34 - Seafood processing - commercially processing seafood, including removing the scales, gills, intestines or shells, filleting, chilling, freezing or packaging seafood in works having a design production capacity of more than 100 t per year.

This licence is issued subject to the conditions set out in the schedule attached to this licence.

This licence applies to the carrying out of the above activity for which a development permit is required.

This licence takes effect from 15 November 2000

signed 

Kyle Roberts
Operations Manager - Licensing (IP Act)
Delegate of Adminstrating Authority
Environmental Protection Act (1994)

date 24/10/00

Schedule of Conditions

Nil Conditions