ecoaccess
environmental licences and permits

# Registration certificate

*Environmental Protection Act 1994*

# Certificate of Registration

## No: ENRE00958109

This registration certificate is issued by the administering authority and is a replacement document for the approval issued on: 23 September 2010.

The anniversary day for the purposes of the Annual Return remains: 29 September.

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:-**
Wildcat Chemicals Australia Pty Ltd
C/- Imdex Limited
Level 1, 15 Rheola Street
WEST PERTH WA 6005

**Development Approval Number:** IPCE00859708 (formerly SR0487DA)

**Place:-**
Lot 7 Plan CP867910
**Located at:-**
15 Magnesium Crescent, NARANGBA QLD 4504
**Registered Activity/ies: -**
ERA 7 Chemical manufacturing Threshold 4(a) - manufacturing, in a year, 200t to 1000t of organic chemicals, other than organic chemicals to which items 1 to 3 apply

Delegate
Administering authority
*Environmental Protection Act 1994*

01-DEC-2010

ENVIRONMENTAL PROTECTION ACT 1994

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Sunshine Coast District Office
PO Box 168 COTTON TREE QLD 4558
Phone: (07) 5443 8940 Fax: (07) 5443 8942
www.env.qld.gov.au ABN: 87221158786

# Licence No. SR2701 (with development approval)

**Section 86** *Environmental Protection Act 1994*

*This licence, issued under the Environmental Protection Act 1994, allows the administering authority to make conditions with regard to financial assurances and matters relating to an Integrated Environmental Management System (IEMS). The licence and its conditions must be considered in conjunction with any conditions imposed on your development approval granted under the Integrated Planning Act 1997 or its equivalent.*

**Under the provisions of the *Environmental Protection Act 1994* this licence is issued to:**

Wildcat Chemicals Australia Pty Ltd
15 Magnesium Crescent
NARANGBA QLD 4504

**in respect of carrying out the environmental relevant activity:**

**6(a) Chemical manufacturing, processing or mixing** - Manufacturing or processing an inorganic chemical, organic chemical or chemical product, or mixing inorganic chemicals, organic chemicals or chemical products (other than mixing non-combustible or non-flammable chemicals or chemical products by dilution with water), in a plant or works having a design production capacity of 200 t or more but less than 20 000 t per year

**at the following place(s):**

Lot 7 on CP867910.

**located at:**

15 Magnesium Crescent, NARANGBA QLD 4504.

This licence is subject to the conditions set out in the attached schedules.

The anniversary date of this licence is **29 September**

This licence takes effect from **29 September 2004**.

Signed

29 September 2004
Date

**David Everett**
**Acting District Manager**
Delegate of Administering Authority
*Environmental Protection Act 1994*

Note: This licence document is not proof of the current status of the licence. The current status of the licence may be ascertained by contacting the Environmental Protection Agency.

## Schedule of conditions

The aforementioned description of the ERA for which this authority is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing this authority. Where there is any conflict between the above description of the ERA for which this authority is issued and the conditions as specified in this authority as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This authority incorporates the following schedules of conditions relevant to various issues:

- Schedule A - General Conditions
- Schedule H - Definitions
- Schedule I - Maps / Plans

### Schedule A - General Conditions

There are no conditions prescribed for this Schedule.

END OF CONDITIONS FOR SCHEDULE A

### 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 authority is sought and the term is not defined within this authority 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.

END OF CONDITIONS FOR SCHEDULE H

### Schedule I - Maps / Plans

There are no attachments to this schedule.

END OF CONDITIONS FOR SCHEDULE I

## END OF ENVIRONMENTAL AUTHORITY

# Concurrence Agency Response

## Section 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

| | |
|---|---|
| **Applicant:** | Keith A Smith |
| **Assessment Manager Application number:** | MCU-2003-1201 |
| **EPA Development Application number:** | SR0487DA |
| **Date application received by EPA:** | 4 November 2003 |
| **Relevant Laws and Policies:** | *Environmental Protection Act 1994* and subordinate legislation |
| **Jurisdiction:** | Item 5 of Schedule 2 of the *Integrated Planning Regulation 1998* |

## Development Description:

**Carrying out of Environmentally Relevant Activity (ERA):**

**6(a) Chemical manufacturing, processing or mixing** - Manufacturing or processing an inorganic chemical, organic chemical or chemical product, or mixing inorganic chemicals, organic chemicals or chemical products (other than mixing non-combustible or non-flammable chemicals or chemical products by dilution with water), in a plant or works having a design production capacity of 200 t or more but less than 20 000 t per year

**at the following place(s):**

Lot 7 CP 867910 Parish of Redcliffe

**located at:**

Lot 7 Magnesium Crescent, Narangba, Qld, 4504

## Type of development

Material change of use of premises is:

- the start of a new 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

26 November 2003
Date

**Nerida Budd**
**District Manager**
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 no 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**

(A1-1) 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.

**Site based management plan**

(A3-1) 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**

(A5-1) 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.

END OF CONDITIONS FOR SCHEDULE A

## Schedule B - Air

**Nuisance**

(B1-2) 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.

END OF CONDITIONS FOR SCHEDULE B

## Schedule C - Water

**Release to waters**

(C3-1) Contaminants must not be released from the site to any waters or the bed and banks of any waters.

**Stormwater management**

(C5-1) 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**

(D1-1) Noise from activities must not cause an environmental nuisance at any noise affected premises.

END OF CONDITIONS FOR SCHEDULE D

## Schedule E - Waste

There are no conditions prescribed for this Schedule.

END OF CONDITIONS FOR SCHEDULE E

## Schedule G - Community

**Complaint response**

(G1-1) 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*

**"odour sensitive place"** has the same meaning as a "dust sensitive place"

**"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.

**"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.

**"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