

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE00695207

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 7 January 2011.

The anniversary day for the purposes of the Annual Return remains: 25 July.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities 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:-

Riviana Foods Pty Ltd
8 Lakeview Drive
SCORESBY VIC 3179

Property Description	Location	Registered Activity	Development Approval
Lot 605 Plan SL6065	18 Production Street WACOL QLD 4076	ERA 23 Bottling and canning - bottling or canning 200t or more of food in a year	IPDE00707207
Lot 605 Plan SL6065	18 Production Street WACOL QLD 4076	ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3	SPDE02192511



Peter Vasel

Delegate

Department of Environment and Resource Management
Environmental Protection Act 1994

6-SEPT-2011

Decision notice

This notice is issued by the Department of Environment and Resource Management pursuant section 334 (decision notice) of the Sustainable Planning Act 2009 ("the Act").

Riviana Foods Pty Ltd
C/- Donna Baker
8 Lakeview Dr
Scoresby VIC 3179

cc. Chief Executive Officer
Brisbane City Council
GPO Box 1434
Brisbane QLD 4001
Attention: Planning and Development Team

Our reference: 240346

Re: Application for development approval

1. Application Details

Date application made to DERM: 8 July 2011
Development approval applied for: Development permit
Aspect of development:

Material change of use of premises – For an environmentally relevant activity	<i>Sustainable Planning Regulation 2009</i> - Schedule 3, Part 1, Table 2, item 1
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Development description: ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

Property/Location description: 18 Production Street, WACOL QLD 4076
Lot 605 Plan SL6065

2. The name and address of each referral agency is as follows.

Nil

3. The Chief Executive, Department of Environment and Resource Management (DERM) decision notice, for the aspect of development involved with the application the subject of this Notice is as follows.
 - (a) The application was decided on 28-Jul-2011 and is approved subject to conditions.
 - (b) The application is taken to have been approved under section 331 of the Act.
 - (c) The application is approved, and the approval is a development permit.
 - (d) The application is approved subject to the conditions attached to this Notice, and the conditions are stated to be assessment manager conditions.

4. Any other development permits or compliance permits necessary to allow the aspect of development the subject of this Notice to be carried out are stated below.

Nil.

5. Any code the applicant must comply with for self-assessable development related to the aspect of approved development the subject of this Notice is stated below.

Nil.

6. Details of any compliance assessment required under chapter 6, part 10 of the Act for documents or work in relation to the aspect of development the subject of this Notice are stated below.

Nil.

7. Information about the rights of appeal for the applicant any submitters are attached to this Notice.

8. Approved plans and specifications

Nil.



Deborah Bowden
Delegate administering the *Environmental Protection Act 1994*
Department of Environment and Resource Management
28-Jul-2011

Enquiries:
Rebecca Davidson
Department of Environment and Resource Management
Phone: (07) 3896 3856
Fax: (07) 3406 2878

Attachments

DERM Permit No. SPDE02192511
Information Sheet – Appeals – Sustainable Planning Act 2009 (extract from the Sustainable Planning Act 2009)

Permit

Sustainable Planning Act 2009

DERM Permit ¹ number: SPDE02192511

This notice is issued by the Department of Environment and Resource Management pursuant to section 334 (decision notice) of the Sustainable Planning Act 2009 ("the Act").

DERM reference:	240346
Date application received:	08-Jul-2011
Permit type:	Development permit
Date of decision:	28- Jul - 2011
Decision:	Development Approval for a MCU involving an ERA. The application is approved subject to conditions attached to this Notice. The conditions are stated to be assessment manager conditions.
Relevant laws and policies:	<i>Environmental Protection Act</i> and any subordinate legislation
Jurisdiction(s):	Material change of use of premises – For an environmentally relevant activity
Legislation:	<i>Sustainable Planning Regulation 2009</i> - Schedule 3, Part 1, Table 2, item 1

Development Description(s)

Property	Lot/Plan	Aspect of Development
18 Production Street, WACOL QLD 4076	Lot 605 Plan SL6065	ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management.



28-7-11

Reason(s) for inclusion of conditions

Any development conditions placed on this permit for an environmentally relevant activity are in accordance with section 73B of the *Environmental Protection Act 1994*.

Environmentally Relevant Activities

The description of any environmentally relevant activity (ERA) for which a development approval 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 a development approval as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

A development permit authorising the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the permit specifically authorises environmental harm.

A person carrying out an ERA must hold a registration certificate issued under the *Environmental Protection Act 1994*, or must be acting under a registration certificate, for the ERA.

Contaminated land

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a Notifiable Activity (as defined in Schedule 3 and Schedule 4 of the *Environmental Protection Act 1994*) 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 Department of Environment and Resource Management.



Deborah Bowden

Delegate administering the *Environmental Protection Act 1994*
Department of Environment and Resource Management
28-Jul-2011

CONDITIONS

Conditions for:

ERA 8 Chemical storage Threshold 3(a) - storing 10m³ to 500m³ of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

Agency Interest: General

Prevent and /or minimise likelihood of environmental harm

- G1 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.

Maintenance of Plant and Equipment

- G2 The holder of this environmental authority must:

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

- G3 A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activity.

- G4 No change, replacement or operation of any plant or equipment is permitted if the change replacement or operation of the plant and equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development approval.

Site Based Management Plan

- G5 From commencement of an ERA to which this approval relates, 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 ERAs that are carried out.

The SBMP must address the following matters:

- a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals.
- b) Identification of environmental issues and potential impacts.
- c) Control measures for routine operations to minimise likelihood of environmental harm.
- d) Contingency plans and emergency procedures for non-routine situations.
- e) Organisational structure and responsibility.
- f) Effective communication.
- g) Staff training.
- h) Record keeping.
- i) Periodic review of environmental performance and continual improvement.

- G6 The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.

Records

- G7 All records required by this approval must be kept for 5 years.

Notification

- G8 Telephone the DERM Hotline (1300 130 372) as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
- G9 A written notice detailing the following information must be provided to DERM within 14 days of any advice provided in accordance with condition [G8]:
- a) the name of the operator, including their approval / registration number;
 - b) the name and telephone number of a designated contact person;
 - c) quantity and substance released;
 - d) the location and time of the release;
 - e) the suspected cause of the release;
 - f) a description of the effects of the release;
 - g) the results of any sampling performed in relation to the release,
 - h) actions taken to mitigate any environmental harm caused by the release; and
 - i) proposed actions to prevent a recurrence of the release.

Spill Kit

- G10 An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site.

Spill Kit Training

- G11 Anyone operating under this approval must be trained in the use of the spill kit.

Agency Interest: Air

Nuisance

- A1 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 nuisance sensitive or commercial place.

Agency Interest: Water

Release of Contaminants to Water

- WA1 Contaminants other than settled/treated stormwater runoff waters must not be released from the site to surface waters or the bed or banks of surface waters.
- WA2 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.

Maintenance and Cleanup

- WA3 The maintenance and cleaning of vehicles, such as transport vehicles and any other ancillary equipment or plant must be carried out in areas from where contaminants cannot be released into any waters, roadside gutter or stormwater drainage system.
- WA4 Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Bunding

- WA5 All chemical tank storage must be banded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest storage tank plus ten percent (10%) of the second largest tank within the bund.
- WA6 All chemical drum storage must be banded so that the capacity of the bund is sufficient to contain at least twenty-five percent (25%) of the maximum design storage volume within the bund.
- WA7 Bunding must be constructed and maintained to be impervious to the materials stored within the bund and to allow retention and recovery of any materials being contained within the bund.
- WA8 All required pipe work from the banded areas must be directed over the bund wall (where practicable) and not through it. Where it is impractical to direct the pipe work over the banded area the registered operator must ensure that an appropriate seal is provided to prevent any leakage from the banded area.
- WA9 All banded areas must be roofed where practicable.
- WA10 Where it is impractical to completely roof a banded area the registered operator must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.
- WA11 All used empty drums must be stored on a concrete hardstand area or similar impervious material with their closures in place.

Tanker loading/unloading area

- WA12 The tanker loading/unloading area must be banded or provided with sufficient alternative containment, to contain one hundred percent (100%) of the largest compartment of any tanker using the area.

Agency Interest: Land

Preventing Contaminant Release to Land

- L1 Contaminants must not be released to land.

Agency Interest: Waste

- W1 The registered operator must not:
- (i) burn waste at or on the approved place; nor
 - (i) allow waste to burn or be burnt at or on the premises to which this development approval relates; nor
 - (ii) remove waste from the premises to which this development approval relates and burn such waste elsewhere other than an appropriate licensed waste disposal facility that can lawfully burn such waste.
- W2 **Waste Records**
- A record of all regulated waste must be kept detailing the following information:
- a) date of pickup of waste;
 - b) description of waste;
 - c) quantity of waste;
 - d) origin of the waste; and
 - e) destination of the waste.

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Off Site Movement

- W3 All transport of regulated waste generated in carrying out the environmentally relevant activity must be transported by a waste transporter that can lawfully transport such waste.
- W4 All disposal of regulated waste generated in carrying out the environmentally relevant activity must be to a waste disposal facility that can lawfully accept such waste or to a facility that can lawfully reuse and/or recycle such waste, except as specifically provided for under the development conditions of this development approval.

Agency Interest: Social

Complaint Response

- S1 The registered operator must record the following details for all complaints received and provide this information to the administering authority on request:
- (a) Time, date, name and contact details of the complainant;
 - (b) reasons for the complaint;
 - (c) any investigations undertaken;
 - (d) conclusions formed; and
 - (e) any actions taken.

DEFINITIONS

Words and phrases used throughout this permit¹ are defined below. Where a definition for a term used in this permit¹ is sought and the term is not defined within this permit¹ the definitions provided in the relevant legislation shall be used.

"administering authority" means the Department of Environment and Resource Management or its successor.

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Sustainable Planning Act 2009*.

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

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

"competent person" means a person(s) with appropriate experience and/or qualifications to ensure any monitoring required by this approval is undertaken in accordance with relevant guidelines and standards.

"Department of Environment and Resource Management" means the department or agency (whatever called) administering the *Environmental Protection Act 1994*.

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

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

"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 2004* 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.

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

"regulated waste" means waste that –

- is commercial or industrial waste, whether or not it has been immobilised or treated; and
- is of a type, or contains a constituent of a type, mentioned in Schedule 7 of the *Environmental Protection Regulation 2008*

Regulated waste includes –

- for an element - any chemical compound containing the element; and
- anything that contains residues of the waste.

"site" means land or tidal waters on or in which it is proposed to carry out the development approved under this development approval.

"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.

"works" or "operation" means the development approved under this development approval.

"you" means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

END OF CONDITIONS

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