Permit

Environmental Protection Act 1994

Environmental authority EA0001769

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

Environmental authority number: EA0001769

Environmental authority takes effect on a date to be decided later.

Environmental authority holder(s)

Name(s)	Registered address
daintree saltwater barramundi fish farms pty ltd	Lot 3 Vixies Rd WONGA BEACH QLD 4873 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 01 - Aquaculture, 2: Cultivating or holding marine, estuarine or freshwater organisms, other than crustaceans, in enclosures that are on land and have a total area of, (a) more than 100 square metres but not more than 10ha	Adjacent to LOT 3/SP292103

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the Environmental Protection Act 1994 (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or

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- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the Planning Act 2016 or an SDA Approval under the State Development and Public Works Organisation Act 1971), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Kenneth Walker
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 21 May 2019

Enquiries:
Coastal and Marine Assessment
Department of Environment and Science
Phone: 1300 130 372
Email: palm@des.qld.gov.au

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Obligations under the Environmental Protection Act 1994

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Conditions of environmental authority

<table>
<tr><th colspan="2">General</th></tr>
<tr><td>G1</td><td>Any breach of a condition of this environmental authority must be reported to the administering authority as soon as practicable within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions taken.</td></tr>
<tr><td>G2</td><td>All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.</td></tr>
<tr><td>G3</td><td>The activity must be undertaken in accordance with written procedures that:
a) identify potential risks to the environment from the activity during routine operations and emergencies; and
b) establish and maintain control measures that minimise the potential for environmental harm; and
c) ensure plant, equipment and measures are maintained in a proper and effective condition; and
d) ensure plant, equipment and measures are operated in a proper and effective manner; and
e) ensure that staff are trained and aware of their obligations under the Environmental Protection Act 1994; and
f) ensure that reviews of environmental performance are undertaken at least annually.</td></tr>
<tr><td>G4</td><td>All records must be kept for a period of at least five years and provided to the administering authority upon request and in a specific electronic format. WaTERS is a recognised means for providing data to the administering authority.</td></tr>
<tr><td>G5</td><td>Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.</td></tr>
<tr><td>G6</td><td>An appropriately qualified person(s) must monitor and record all indicator(s) required by and in accordance with Table 1 – Monitoring and Wastewater Release Limits and the associated monitoring requirements.

Table 1 – Monitoring and Wastewater Release Limits
<table>
<tr><th>Indicator(s)</th><th>Measurement (units)</th><th>Minimum frequency</th><th>Release Limit Long-term Median[1] Interim Values[2]</th><th>Release Limit Maximum Interim Values[2]</th><th>Annual Load Interim Values[2]</th></tr>
<tr><td>pH</td><td>pH unit</td><td>Monthly whilst discharging</td><td>-</td><td>6.5 to 9.0</td><td>-</td></tr>
<tr><td>Dissolved Oxygen</td><td>mg/L</td><td>Monthly whilst discharging</td><td>-</td><td>80% saturation level (minimum)</td><td>-</td></tr>
<tr><td>TSS (total suspended solids)</td><td>mg/L</td><td>Monthly whilst discharging</td><td>9</td><td>27</td><td>6,750 kg/year</td></tr>
<tr><td>Total Nitrogen as N</td><td>mg/L</td><td>Monthly whilst discharging</td><td>0.25</td><td>2</td><td>187.5 kg/year</td></tr>
<tr><td>Oxidised Nitrogen as N</td><td>mg/L</td><td>Monthly whilst discharging</td><td>0.03</td><td>TBA</td><td>22.5 kg/year</td></tr>
<tr><td>Ammonium Nitrogen as N</td><td>mg/L</td><td>Monthly whilst discharging</td><td>0.015</td><td>TBA</td><td>11.25 kg/year</td></tr>
<tr><td>Total Phosphorus as P</td><td>mg/L</td><td>Monthly whilst discharging</td><td>0.02</td><td>0.4</td><td>15 kg/year</td></tr>
<tr><td>Filterable Reactive Phosphorus as P</td><td>mg/L</td><td>Monthly whilst discharging</td><td>0.005</td><td>TBA</td><td>3.75 kg/year</td></tr>
</table></td></tr>
</table>

	Daily Volume[3]	m^3/day	Daily	**2,055**	**8,000**	**750,075 m^3/year**

[1]Long-term median values calculated from 6 consecutive samples.
[2]The provided values should be considered interim until sufficient data is collected from the receiving environment to update these values.
[3]The daily release volume does not include the volume of water received by direct rainfall in the past 24 hours. Volume of rainfall can be calculated by daily accumulated rainfall (mm) multiplied by area of ponds and treatment wetland.

Associated monitoring requirements

1. Monitoring must be in accordance with the ANZECC and ARMCANZ (2000) *Australian Guidelines for Water Quality Monitoring and Reporting* and AS/NZS 5667 (parts 1,4-8, 10-12):1998 water quality – sampling.
2. Monitoring must be undertaken during a release.
3. All monitoring devices must be effectively calibrated and maintained in accordance with Australian Standards.
4. Monitoring must be taken when emissions are expected to be representative of actual operating conditions for the sample frequency period.
5. Water quality monitoring must be in accordance with the methods prescribed in the current edition of the **administering authority's** Monitoring and Sampling Manual.
6. Samples must be representative of the release.

G7	When required by the **administering authority**, monitoring must be undertaken in the manner prescribed by the **administering authority** to investigate a complaint of **environmental nuisance** arising from the **activity**. The monitoring results must be provided within 10 business days to the **administering authority** upon its request.
G8	**You** must record the following details for all environmental complaints received: 1. date and time complaint was received 2. name and contact details of the complainant when provided and authorised by the complainant 3. nature of the complaint 4. investigations undertaken 5. conclusions formed 6. actions taken
G9	Other than as permitted by this environmental authority, the release of a **contaminant** into the **environment** must not occur.
	Air
A1	Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.
	Noise
N1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**
	Water
WT1	Contaminants must not be released to **groundwater** or at a location where they are likely to release to **groundwater**.
WT2	A **receiving environment monitoring program** must be designed and implemented by an **appropriately qualified person(s)** to monitor the effects of the **activity** on waters described as the South Arm (estuarine tributary of the Daintree River) and associated receiving waters.
WT3	The **receiving environment monitoring program** required by condition WT2 should focus on near field and further field impacts. The program should address at least the following: (a) description of potentially affected receiving **waters** including key communities and background water and sediment quality characteristics based on accurate and reliable monitoring data that takes into consideration any temporal variation (e.g. seasonality); and

	(b) description of applicable **environmental value**s and sediment and water quality objectives to be achieved and (c) any relevant reports prepared by other governmental or professional research organisations that relate to the receiving environment within which the Receiving Environment Monitoring Program is proposed; and (d) water and sediment quality targets within the receiving environment to be achieved, and clarification of contaminant concentrations or levels indicating adverse environmental impacts during the monitoring program.
WT4	Alternatively, you will be deemed to have met the requirements of condition WT2 if you become and remain a participating member in the water quality strategies and monitoring programs relevant to the receiving environment and are endorsed in writing by the **administering authority**.
WT5	You will be considered by the **administering authority** to be a participating member in regional studies in the following situations: i. You are a contributing member, to the regional studies of water quality and ecosystem health; and ii. You are identified as a contributing member in a written statement to the **administering authority** from the authority carrying the regional studies.
	Waste
W1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
	Land
L1	Contaminants must not be released to land.

Definitions

Key terms and/or phrases used in this document are defined in this section. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Heritage Protection or its successors or predecessors.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirement using the relevant protocols, standards, methods or literature.

Background means noise, measured in the absence of the noise under investigation, as $L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90% of the time period of not less than 15 minutes, using Fast response.

Boundary means within 1m of the cadastral **boundary** of the approved place.

Contaminant(s) means as defined in Section 11 of the *Environmental Protection Act 1994.*

Commercial place means 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.

Disturbed areas includes areas:

1. that are susceptible to erosion;
2. that are contaminated by the activity; and/or
3. upon which stockpiles of soil or other materials are located.

Dredging includes extraction of mud, sand, coral, ballast, shingle, gravel, clay, earth and other material from the bed of Queensland tidal and non-tidal **waters**. Dredging does not include the banks of a waterway.

Environmental nuisance as defined in Chapter 1 of the *Environmental Protection Act 1994*.

Environmental value(s) as defined in Chapter 1 of the *Environmental Protection Act 1994*.

Financial assurance as defined in Chapter 5 of the *Environmental Protection Act 1994*.

General waste means waste other than regulated waste.

Groundwater means water that occurs naturally in, or is introduced artificially into, an aquifer.

$L_{Aeq\ adj,T}$ means the adjusted A weighted equivalent continuous sound pressure level measures on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the **activity** is causing a steady state noise, and no shorter than one hour when the approved **activity** is causing an intermittent noise.

Land does not include **waters**.

Liquid means any substance that:

1. has an angle of repose of less than five degrees; or
2. becomes free flowing at or below 60 degrees Celsius or when it is transported; or
3. is not generally capable of being picked up by a spade or shovel.

$LAmax_{,T}$ means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.

Measures have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

NATA means National Association of Testing Authorities.

Noxious means harmful or injurious to health or physical well-being.

Offensive means causing offence or displeasure, is unreasonably disagreeable to the sense, disgusting, nauseous or repulsive.

Prescribed water contaminants means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.

Receiving environment monitoring program (REMP) means a monitoring program designed to monitor and assess the potential impacts of controlled and/or uncontrolled releases of contaminants to the environment from the activity.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurements, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).

Vibration is the oscillating or periodic motion of a particle, group of particles, or solid object about its equilibrium position**.**

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.

WaTERS is the Wastewater Tracking and Electronic Reporting System (WaTERS) database formally known as the Point Source Database (PSD).

You means the holder of the environmental authority.