Permit

Environmental Protection Act 1994

Environmental authority EA0001896

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

Environmental authority number: EA0001896

Environmental authority takes effect on 18/11/2019

Environmental authority holder(s)

Name(s)	Registered address
Altivelis Pty Ltd	14 Industrial Ave STRATFORD QLD 4870 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
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	LOT 4 on RP716124

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:

Queensland Government

- 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
- 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.

Amanda Gray
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 12 October 2020

Enquiries:
Coastal and Marine Assessment
Department of Environment and Science

Phone: 1300 130 372
Email: palm@des.qld.gov.au

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)

Legislative requirements and conditions of environmental authority

Legislative requirements

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site.

Development approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

Agency interest: General	
Condition number	**Condition**
G1	Activities under this environmental authority must be conducted in accordance with the following limitations: a) Operation of not more than one (1) lungfish pond having a total area of not greater than 1500m^2 ; and b) Within the bounds of Lot 4 on Plan RP716124.
G2	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.
G3	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the activities.
G4	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.

G5	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.
G6	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**
G7	**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.
G8	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.
G9	Other than as permitted by this environmental authority, **the release of a contaminant into the environment must not occur.**
G10	All ponds, channels and containment structures used for the storage, use or treatment of aquaculture waters at or on the authorised place must be constructed, installed and maintained: a) so as to minimise the likelihood of any release of water through the bed or banks of the pond, channels or containment structures to any **waters**; and b) so as to ensure the stability of the ponds, channels or containment structures' construction; and c) in accordance with the Queensland Government guideline titled *Guideline for constructing and maintaining aquaculture containment structures* (2007) or more recent editions.

Agency interest: Air

Condition number	Condition
A1	Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.

Agency interest: Land

Condition number	Condition
L1	Treatment and management of acid sulfate soils must comply with the latest edition of the Queensland Acid Sulfate Soil Technical Manual.

Agency interest: Acoustic

Condition number	Condition
N1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**
Agency interest: Waste	
Condition number	**Condition**
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.
Agency interest: Water	
Condition number	**Condition**
WT1	**Contaminants** must not be released to groundwater.
WT2	A release to **waters** must be reported to the **administering authority** as soon as practicable within 24 hours of becoming aware of the release.

Definitions

Key terms and/or phrases bolded in this environmental authority 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.

Term	Definition
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 Science or its successors or predecessors.
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.
Contaminant(s)	means as defined in Section 11 of the *Environmental Protection Act 1994.*
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*.
Measures	have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.
Prescribed water contaminants	means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.
Records	include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.
Release of a contaminant into the environment	means to: • deposit, discharge, emit or disturb the contaminant • cause or allow the contaminant to be deposited, discharged, emitted or disturbed • fail to prevent the contaminant from being deposited, discharged emitted or disturbed • allow the contaminant to escape • fail to prevent the contaminant from escaping.
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.
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.
You	means the holder of the environmental authority.

END OF ENVIRONMENTAL AUTHORITY