Permit

Environmental Protection Act 1994

Environmental authority EA0002227

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

Environmental authority number: EA0002227

Environmental authority takes effect on the date that related development approval DA/48/2019 takes effect.

Within 20 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence.
The first annual fee is payable within 20 business days of the effective date.
The anniversary date of this environmental authority is the same day each year as the effective date.
The payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name(s)	Registered address
GLADSTONE AREA WATER BOARD	136 Goondoon St GLADSTONE CENTRAL QLD 4680 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 90 on SP275218

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.

ABN 46 640 294 485

Queensland Government

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
- 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.

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

Date issued: 27 October 2021

Amanda Gray

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)

Conditions of environmental authority

General	
G1	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.
G2	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the activities.
G3	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.
G4	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.
G5	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**
G6	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.
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	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.
G9	All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (**NATA**) certification, or an equivalent certification, for such analyses. The only exception to this condition is for *in situ* monitoring of Dissolved Oxygen and pH.
G10	An annual monitoring report must be prepared and submitted to the **administering authority** by 30 November each year, for the preceding financial year.
G11	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 Boyne River and associated receiving waters.

G12	The **receiving environment monitoring program** required by condition G11 should focus on near field and further field impacts. The program should address at least the following: a) a monitoring program[1] to monitor the effects of the activity on the receiving environment[2] that includes: - Suitable test sites within the receiving waters that are potentially impacted by the release; - Suitable control sites where a background or reference condition can be established; b) description of potentially affected receiving **waters** including key communities and background water quality characteristics based on accurate and reliable monitoring data that takes into consideration any temporal variation (e.g. seasonality); and c) description of applicable **environmental value**s and water quality objectives to be achieved and d) 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 e) water quality targets within the receiving environment to be achieved, and clarification of contaminant concentrations or levels indicating adverse environmental impacts during the monitoring program. [1]The monitoring program should be developed using the administering authority's Receiving Environment Monitoring Program Guideline (ESR/2016/2399) 2015 or more recent versions as they become available. [2]For the purposes of the REMP, the receiving environment is the waters of the Boyne River. The REMP should encompass any sensitive receiving waters or environmental values that will potentially be directly affected by an authorised release from the facility.
G13	The Receiving Environment Monitoring Program must be provided to the **administering authority** at either of the addresses below: PALM@DES.qld.gov.au; or Department of Environment and Science Permit and License Management Implementation and Support Unit GPO Box 2454 Brisbane Qld 4001
G14	Condition G13 applies each time the **Receiving Environment Monitoring Program** is amended.
G15	REMP results should be prepared into a report detailing the results and outcomes of the program and provided to the **administering authority** annually.
	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.**

<table>
<tr><td></td><td>Water</td></tr>
<tr><td>WT1</td><td>Contaminants must not be released to groundwater or at a location where they are likely to release to groundwater.</td></tr>
<tr><td>WT2</td><td>Other than as permitted within this environmental authority, contaminants must not be released to any waters.</td></tr>
<tr><td>WT3</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>Parameter</th><th>Unit (kL)</th><th>Type</th><th>Release Limit</th><th>Monitoring Frequency (minimum)</th></tr>
<tr><td>Daily release volume (mixed water)</td><td>kL/day</td><td>Maximum</td><td>180</td><td>Continuous volume monitoring required during any release to receiving waters</td></tr>
<tr><td>Trucked water: river water dilution ratio</td><td></td><td>Minimum</td><td>1:5</td><td>Total water volumes to be calculated and recorded</td></tr>
<tr><td>pH</td><td>pH</td><td>Range</td><td>6-9</td><td>Monthly during any release to receiving waters</td></tr>
<tr><td>Dissolved Oxygen (DO)</td><td>mg/L</td><td>Minimum</td><td>2</td><td>Monthly during any release to receiving waters</td></tr>
<tr><td>Biological Oxygen Demand (BOD)</td><td>mg/L</td><td>Maximum</td><td>20</td><td>Monthly during release for lab analysis</td></tr>
<tr><td>Total Suspended Solids (TSS)</td><td>mg/L</td><td>Maximum</td><td>30</td><td>Monthly during release for lab analysis</td></tr>
<tr><td>Total Nitrogen (TN)</td><td>mg/L</td><td>Maximum</td><td>4.1</td><td>Monthly during release for lab analysis</td></tr>
<tr><td>Total Phosphorus (TP)</td><td>mg/L</td><td>Maximum</td><td>0.8</td><td>Monthly during release for lab analysis</td></tr>
</table>

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, location as per Figure 1: Locality site plan and Boyne River discharge point.
3. All monitoring devices must be effectively calibrated and maintained in accordance with Australian Standards.
4. Water quality monitoring must be in accordance with the methods prescribed in the current edition of the administering authority's Monitoring and Sampling Manual.
5. Samples must be representative of the release.
6. Background monitoring of the receiving environment must be undertaken at a minimum of twice a year during the wet and dry seasons to capture seasonal variability. Monitoring data to be submitted as part of the reporting requirements in condition G12.</td></tr>
<tr><td></td><td>Waste</td></tr>
</table>

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.
W2	The **administering authority** must be notified of any disease outbreak requiring treatment and/or drainage of ponds and/or tank contents.
W3	Where diseased organisms and/or affected water requires disposal it must be monitored and the following records kept: a) the date, quantity and type of waste disposed of; and b) name of the waste transporter and or disposal operator that removed the waste; and c) the intended treatment/disposal destination of the waste.
	Land
L1	Contaminants must not be released to **land**.
L2	Treatment and management of **acid sulfate soils** must comply with the latest edition of the Queensland Acid Sulfate Soil Technical Manual.
L3	Before applying to surrender this environmental authority, the site must be rehabilitated to achieve a safe, stable, non-polluting landform.

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.

Acid Sulphate Soils means a soil, sand, mud or clay containing significant levels of pyrite (iron sulphide), which on exposure to oxidising conditions has resulted in or has the capacity to result in the generation of sulphuric acid in quantities greater than the inherent buffer capacity of the soil.

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 or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

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) as defined in Section 11 of the *Environmental Protection Act 1994.*

Day means any 24 hour period.

Environmental authority means an environmental authority granted in relation to an environmentally relevant activity under the *Environmental Protection Act 1994*.

Environmental harm as defined in Section 14 of the *Environmental Protection Act 1994.*

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

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

Growout pond means a pond, tank, enclosure or other container for the feeding and growing of aquaculture species.

Land does not include **waters**.

Maximum means that the measured value of the quality characteristic of contaminant must not be greater than the release limit stated.

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

mg/L means milligrams per litre

NATA means National Association of Testing Authorities.

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

Nutrient offset means projects in accordance with the *Point Source Water Quality Offsets Policy 2019* or more recent additions or supplements to the document that become available, as agreed to with the **administering authority**.

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

Receiving environment monitoring program 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.

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.

Reuse means using treated effluent for beneficial purposes such as agricultural and landscape irrigation, industrial processes, toilet flushing and other non-potable applications provided those uses comply with relevant legislative requirements.

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, 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 thoroughfare, park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2008*.

Total Nitrogen (TN) means the sum total of Organic Nitrogen, Ammonia, Nitrite plus Nitrate, as mg/L of Nitrogen.

Total Phosphorous (TP) means the sum total of the reactive phosphorous, acid-hydrolysable phosphorous and organic phosphorous, as mg/L of phosphorous. This includes both the organic and inorganic fraction of phosphorous.

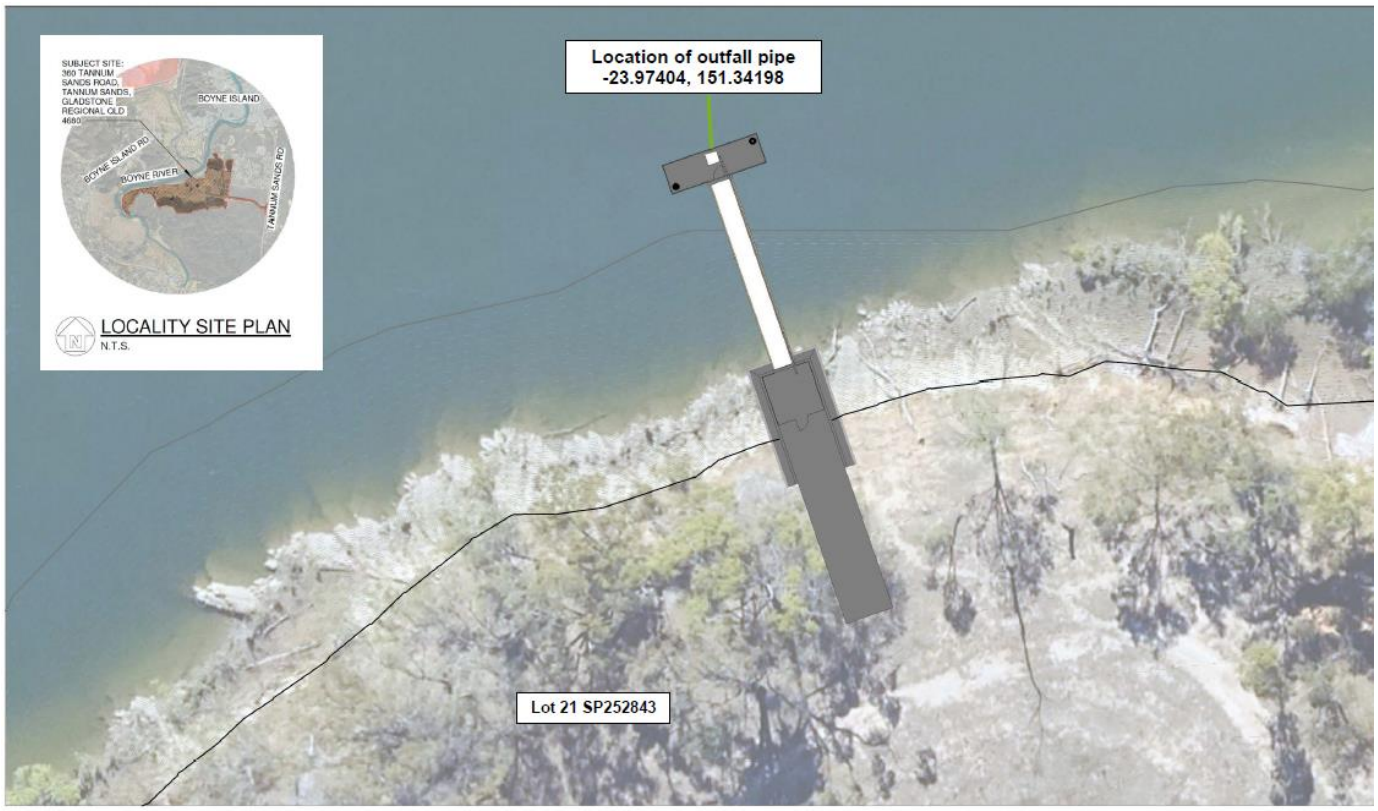
Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

Wet Weather Day means a day which is not a dry weather day.

Year means anniversary date to anniversary date.

You means the holder of the environmental authority.

Figure 1: Locality site plan and Boyne River discharge point



PROPOSED SITE PLAN
1 : 200

Gladstone Area Water Board Fish Hatchery

Location of Boyne River discharge point

ABN 46 640 294 485

Queensland Government