Permit

Environmental Protection Act 1994

Environmental authority EPPR00193213

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

Environmental authority number: EPPR00193213

Environmental authority takes effect on 17 November 2008.

The anniversary date of this environmental authority is 18 February each year.

Environmental authority holder(s)

Name(s)	Registered address
KING REEF PTY LTD	28 Riverside Terrace INNISFAIL QLD 4860

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 01 - Aquaculture - 2(c) - Cultivating or holding marine, estuarine or freshwater organisms, other than crustaceans, in enclosures that are on land and have a total area of more than 100ha	1/RP881695
ERA 01 - Aquaculture - 2(c) - Cultivating or holding marine, estuarine or freshwater organisms, other than crustaceans, in enclosures that are on land and have a total area of more than 100ha	12/SP152310
ERA 01 - Aquaculture - 2(c) - Cultivating or holding marine, estuarine or freshwater organisms, other than crustaceans, in enclosures that are on land and have a total area of more than 100ha	2/RP881695

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

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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
- 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.

	**21 March 2022**
Signature	Date

Derek Robson
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Permits and Licensing/Operational Support
Department of Environment Science
GPO Box 2454, Brisbane QLD 4001
Phone: 1300 130 372 (Option 4)
Email: palm@des.qld.gov.au

Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

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)

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. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Conditions of environmental authority

Schedule A - Activity

Prevent and / or Minimise Likelihood of Environmental Harm

(A1) Notwithstanding any other requirements of this document, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused when carrying out the environmentally relevant activity.

Site based Management Plan

(A2) From commencement of the activity, implement the Site Based Management Plan (SBMP) that identifies the actual and potential release of ALL contaminants, their subsequent environmental impacts and all corrective and preventive measures that will be taken to prevent and / or minimise the likelihood of environmental harm. 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.

(A3) You must comply with "Guidelines For the Treatment and Management of Acid Sulfate Soils 2000", Queensland Government Environmental Protection Agency.

Notification

(A4) Notify the administering authority as soon as practicable when the release of contaminants is not in accordance with the conditions of this document or any event where environmental harm may be threatened.

(A5) Written advice of the following information must be provided within fourteen (14) days following any event as identified in condition number (Notification A4):

- the location of the event;
- the time of the event;
- the time the holder of the development approval became aware of the event;
- the suspected cause of the event;
- a description of the resulting effects of the event;
- actions taken to mitigate any environmental harm and or environmental nuisance caused by the event; and
- proposed actions to prevent a recurrence of the event.

Monitoring and Measurements

(A6) All determinations of the quality of contaminants released to the environment and all measurement and reporting of noise levels that are required by this development approval must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required determinations and the required measurements.

(A7) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this development approval must be calibrated, and appropriately operated and maintained.

(A8) The holder of the development approval must 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.

Areas of Production and Associated Treatment Ponds

(A9) This development approval applies only to the operation and maintenance of:

- aquaculture ponds having a combined total area of not more than thirty-five (35) hectares;
- An on farm waste water retention and treatment system of at least 7.7 hectares surface area, capable of achieving a minimum retention time for all effluent of at least of three (3) days, designed to remove contaminants from waters released from the prawn production ponds.

Chemical Use

(A10) Chemicals must be used in accordance with manufacturers requirements and are limited to those approved by the National Registration Authority, prescribed by a veterinarian or which have been declared “Exempt from Registration” and their use shall be in accordance with the label’s requirements for aquaculture.

(A11) All drugs and chemicals authorised to be used at the facility shall only be discharged to the receiving environment at a level prescribed or authorised by the Administering Authority

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

(B1) Prevent the release of odour, dust and/or particulate matter, spray-drift, smoke, aerosols, or fumes which cause or are likely to cause a nuisance. Nuisance includes the release of contaminants that are likely to be offensive to a person or a nuisance in the opinion of an authorised person.

(B2) Dust is not considered to be a nuisance under condition B1 if monitoring shows that dust and / or particulate matter did or does NOT exceed the following limits at the boundary of any affected dust sensitive place:

- Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991; AND
- A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (μm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at the boundary of any affected dust sensitive place downwind of the premises to which this development approval relates, when monitored in accordance with:
  - Australian Standard AS 3580.9.6 "Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method"; or
  - any alternative method of monitoring PM10 which may be permitted by the "Air Quality Sampling Manual" as published from time to time by the administering authority.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Release to Waters

(C1) Contaminants must only be released to waters from the release points and in compliance with the release limits listed in Schedule C Table 1.

(C2) The total quantity of treated effluent released from the facility during any day must not exceed 8500 cubic metres plus the amount equivalent to the preceding 24 hours of rainfall accumulated over the area of the growing and treatment ponds.

(C3) The daily quantity of contaminants released must be determined by use of a method with an accuracy of ± 5% of the actual amount released.

(C4) Daily quantity of rainfall accumulated over the area of the growing and treatment ponds rainfall must be determined using by use of a method with an accuracy of ± 5% of the actual amount of rain accumulated on the ponds.

Times of Release

(C5) The release of contaminants to waters must only occur from 1/2 hour after local high water until 1 hour before local low water.

Monitoring

(C6) The holder of this environmental authority must conduct and keep records of contaminant releases to waters from the release points, frequency, and for the parameters specified in Schedule C Table 1. All determinations of the quality of contaminants released must be:

- performed by a person or body possessing appropriate experience and qualifications to perform the required measurements; and
- made in accordance with methods prescribed in the Environment Protection Agency Water Quality Sampling Manual, 3rd Edition, December 1999, or more recent additions or supplements to that document as such become available.

Schedule C - Table 1 (Release limits)

			Release Limit			
Monitoring Point	**Discharge Location**	**Quality Characteristics**	**Minimum**	**50th Percentile**	**Maximum**	**Monitoring Frequency**
W1, W2, W3	refer to Schedule I	pH	7.0		8.5	Daily when a discharge is occurring
W1, W2, W3	refer to Schedule I	Dissolved Oxygen (%)	80%		120%	Daily when a discharge is occurring
W1, W2, W3	refer to Schedule I	Total Nitrogen (mg/L)		0.64	2 or background (B) plus 10% whichever is the highest	Initial sampling frequency[1] and after two (2) years the subsequent sampling[2]
W1, W2, W3	refer to Schedule I	Total Phosphorus (mg/L)		0.025	0.21 or background (B) plus 10% whichever is the highest	Initial sampling frequency[1] and after two (2) years the subsequent sampling[2]
W1, W2, W3	refer to Schedule I	Total Suspended Solids (mg/L)		12	28 or background (B) plus 10% whichever is the highest	Initial sampling frequency[1] and after two (2) years the subsequent sampling[2]
Background[3] - B1	receiving waters 500metres upstream of discharge	Total Suspended Solids (mg/L) Total Phosphorus (mg/L) Total Nitrogen (mg/L)				Fortnightly - when discharging to receiving waters

Impacted[4] - I1	receiving waters 500metres downstream of discharge	Total Suspended Solids (mg/L) Total Phosphorus (mg/L) Total Nitrogen (mg/L)			background plus 10%	Fortnightly - when discharging to receiving waters

[1] **initial sampling frequency**

Within 0- 2 years of commencement of operation – **Fortnightly**, with a minimum of six (6) samples per growing season. Two samples must be taken during the later stages of drain harvest

[2] **subsequent sampling frequency**

After 2 years of commencement of operation - **monthly** (for those months when a discharge is occurring), with a minimum of six (6) samples per year. At least 3 samples must be taken during the later stages of the growing season, no closer than two week apart. Two samples must be taken during the later stages of drain harvest

[3] The impacted water quality sampling must be carried out on the ebb tide within 30 minutes (on the same day) as the discharge water quality sample and the background water quality sample , at Impacted point I1 defined as a point 500 metres downstream of the discharge.

[4] Background water quality sampling must be carried out on the ebb tide within 30 minutes (on the same day) as the discharge water quality sample, at Background point B1 defined as a point 500 metres upstream of the discharge.

(C7) In the event of an exceedance of a release limit specified in Schedule C - Table 1 or Schedule C - Table 2, for the parameters suspended solids, nitrogen and phosphorus, the monitoring frequency will return to the initial sampling frequency specified in Schedule C - Table 1 for a period determined by the Administering Authority.

(C8) The net load of contaminants, (averaged out over the growing season) released from the facility must not exceed the limits specified in Schedule C - Table 2 below

Schedule C - Table 2

Daily load (kg/ha/day)		
Total Suspended Solids	**Total Nitrogen**	**Total Phosphorus**
3	0.2	0.015

(C9) Within six (6) months of issues of the development approval, the holder of the development approval must develop an draft Environmental Impact Monitoring Program to monitor the impacts of the aquaculture facility on the receiving environment and submit a copy of that draft Environmental Impact Monitoring Program to the administering authority for review and comment. The holder of the development approval must have due regard to that comment in the finalisation of the Environmental Impact Monitoring Program.

(C10) The holder of the development approval shall commence the monitoring and reporting program described in condition number (C8) within thirty (30) days of being advised in writing by the administering authority that the program is acceptable.

Stormwater Management

(C11) Prevent the release of stormwater runoff that has been in contact with any contaminants at the site to any waters.

(C12) Spillage of all chemicals and fuels must be captured within an on-site containment system.

Bunding

(C13) All chemical and petroleum product storage tanks must be bunded so that the capacity of the bund is sufficient to contain at least 100 % of the largest storage tank plus 10% of the second largest tank within the bund.

(C14) All chemical and petroleum product drum storages must be bunded so that the capacity of the bund is sufficient to contain at least 25% of the maximum design storage volume within the bund.

(C15) All required pipework from any bunded areas on the licensed place must be directed over the bund wall and not through it**.**

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise

(D1) Prevent the emission of noise, which causes or is likely to cause a nuisance at any noise affected premises. Nuisance includes noise that is or is likely to be annoying, intrusive or offensive to a person or a nuisance in the opinion of an authorised person.

(D2) Noise is NOT considered to be a nuisance under condition D1 if monitoring shows that noise does NOT exceed the following levels in the time periods specified in Schedule D Tables 1 and 2.

Schedule D - Table 1 (Noise limits - 'Sensitive place')

Noise Level dB(A) Measured as	**Noise Measured at a 'Noise sensitive place'**					
	Monday to Saturday			**Sundays and Public Holidays**		
	7am - 6pm	**6pm - 10pm**	**10pm - 7am**	**9am - 6pm**	**6pm - 10pm**	**10pm - 9am**
$L_{A10, adj, 10 mins}$	45	40	30	45	40	30
$L_{A1, adj, 10 mins}$	50	45	35	50	45	35

Schedule D - Table2 (Noise limits - 'Commercial place')

Noise Level dB(A) Measured as	**Noise Measured at a 'Commercial place'**					
	Monday to Friday			**Sundays and Public Holidays**		
	7am - 6pm	**6pm - 10pm**	**10pm - 7am**	**9am - 6pm**	**6pm - 10pm**	**10pm - 9am**
$L_{A10, adj, 10 mins}$	50	45	35	50	45	35
$L_{A1, adj, 10 mins}$	55	50	40	55	50	40

(D3) When requested by the Administering Authority noise monitoring must be undertaken to investigate any complaint of noise annoyance. Monitoring must include:

- $L_{A\ 10,\ adj,\ 10\ mins}$
- $L_{A\ 1,\ adj,\ 10\ mins}$
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

(D4) The method of measurement and reporting of noise levels must comply with the Environmental Protection Agency's Noise Measurement Manual, Third Edition, 1 March 2000, or more recent editions or supplements to that document as they become available.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste

Pond Sludge

(E1) Pond sediment removed from the production or settlement ponds must be stored and/or disposed of in a manner which does not cause the release of contaminants to any waters or stormwater drain.

Off Site Movement

(E2) Where regulated waste is removed from the premises (other than by a release as permitted under another schedule of this development approval), the holder of this development approval must monitor and keep records of the following:

- the date, quantity and type of waste removed; and
- name of the waste transporter and/or disposal operator that removed the waste; and
- the intended treatment/disposal destination of the waste.

Disease Management

(E3) The holder of this development approval shall notify the administering authority of any disease outbreak requiring treatment and/or drainage of pond and/or tank contents.

(E4) The holder of this development approval must seek the written approval of the administering authority prior to disposing of any diseased organisms, or water which has come into contact with diseased organisms.

(E5) Where diseased organisms and/or affected water requires disposal it must be monitored and the following records kept:

- the date, quantity and type of waste disposed of; and
- name of the waste transporter and/or disposal operator that removed the waste; and
- the intended treatment/disposal destination of the waste.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land

Nil conditions.

END OF CONDITIONS FOR SCHEDULE F

Schedule G – Community

(G1) 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.

(G2) In consultation with the administering authority, cooperate with and participate in any community environmental group or organisation established in respect of either the premises to which this development approval relates specifically, or the industrial estate where the premises to which this development approval relates is located.

END OF CONDITIONS FOR SCHEDULE G

Schedule H - Definitions

Words and phrases used throughout this licence or development approval are defined below:

Word Definitions

(H1) **"administering authority"** means the Environmental Protection Agency or its successor.

(H2) **"you"** means the holder of this Environmental Authority and - or Development Approval.

(H3) **"licensed place"** means the place to which this environmental authority relates.

(H4) **"authority"** means level 1licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the Environmental Protection Act 1994.

(H5) **"approval"** means 'notice of development application decision' or 'notice of concurrence agency response' under the Integrated Planning Act 1997

(H6) **"dust sensitive place"** means -

- a dwelling, mobile home or caravan park, residential marina or other residential place;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area;
- a park or gardens; or
- a place used as an office or for business or commercial purposes.
- and includes the curtilage of any such place.

(H7) **"odour sensitive place"** has the same meaning as a "dust sensitive place"

(H8) **"dwelling"** means any of the following structures or vehicles that is principally used as a residence-

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- a water craft in a marina.

(H9) **"noxious"** means harmful or injurious to health or physical well being.

(H10 **"offensive"** means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

(H11) **"$L_{A\ 10,\ adj,\ 10\ mins}$"** means the A-weighted sound pressure level, *(adjusted for tonal character and impulsiveness of the sound)* exceeded for 10% of any 10 minute measurement period, using Fast response.

(H12) **"$L_{A\ 1,\ adj,\ 10\ mins}$"** means the A-weighted sound pressure level, *(adjusted for tonal character and impulsiveness of the sound)* exceeded for 1% of any 10 minute measurement period, using Fast response

(H13) **"noise affected premises"** means a "noise sensitive place" or a "commercial place"

(H14) **"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.

(H15) **"commercial place"** means a place used as an office or for business or commercial purposes.

(H16) **"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*.

(H17) **"protected area"** means -

- a protected area under the Nature Conservation Act 1992; or
- a marine park under the Marine Parks Act 1992; or
- a World Heritage Area.

(H18) **"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 any under groundwater, any part-thereof.

(H19) **Average** means that the arthritic average of the quality characteristic are not to exceed the stated release limit for using any six (6) consecutive samples for a release-monitoring point at any time during the licensed works.

(H20) **"land"** in the "land schedule" of this document means land excluding waters and the atmosphere.

(H21) **"mg-L"** means milligrams per litre.

(H22) **"NTU"** means nephelometric turbidity units

(H23) **"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

(H24) **"licensed vehicle"** means a vehicle authorised to be used under the licence to transport regulated waste.

(H25) **"registered vehicle"** means "licensed vehicle"

(H26) **"clinical waste"** means waste that has the potential to cause disease including, for example, the following:

- animal waste;
- discarded sharps;
- human tissue waste;
- laboratory waste.

(H27) **"infectious waste"** means "clinical waste".

END OF CONDITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

(I1) **Great Barrier Reef Prawns – Monitoring Release Points**