Permit[1]

Environmental Protection Act 1994

Environmental authority

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

Permit[1] number: EPPR00205213

Environmental authority takes effect 29 November 2016

The anniversary date of this environmental authority remains as 13 March. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Raphael Shin Enterprises Pty Ltd	570 Blaxland Road EASTWOOD NSW 2122

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
1-(1b) Aquaculture >10ha but <100ha land 1-(2b) Aquaculture >10ha but <100ha land	652 North Littabella Road MULLETT CREEK QLD 4670 - Lot 4 Plan RP857992

Additional information for applicants

Environmentally relevant activities

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

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

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

Queensland Government

Department of
Environment and Heritage Protection

To: Raphael Shin Enterprises Pty Ltd
570 Blaxland Road
EASTWOOD NSW 2122

Email: accmfarm@gmail.com

Your reference:
Our reference: 221550

Application details

I refer to the application that was received by the administering authority on 23-SEP-2016.

Land description: 652 North Littabella Road MULLETT CREEK QLD 4670 Lot 4 Plan RP857992.

Decision

Your application has been approved and your environmental authority (reference EPPR00205213) is attached.

Should you have any further enquiries, please contact Deborah Bowden on telephone (07) 3330 6141.

Yours sincerely

M. Rhodes	29/11/2016
Signature	Date

Monika Rhodes
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enclosed

Permit - environmental authority (reference EPPR00205213)

Deborah Bowden
Coastal and Marine Assessment
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 07 3330 6141
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Email: deb.bowden@ehp.qld.gov.au
Website **www.ehp.qld.gov.au**
ABN 46 640 294 485

Contaminated land

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

- a notifiable activity (as defined in Schedule 3) that is being, or has been, carried out on the land (notice must be given within 20 business days)
- an event involving a hazardous contaminant on the land, or a change in the condition of the contaminated land, that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours).

For further information, including the form for giving written notice, refer to the Queensland Government website http://www.qld.gov.au/ (using the search term 'managing contaminated land').

M. Rhodes

Signature

29/11/2016

Date

Monika Rhodes
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Deborah Bowden
Coastal and Marine Assessment
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 07 3330 6141
Fax: 07 3330 6037
Email: deb.bowden@ehp.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

Location: 652 North Littabella Road, MULLETT CREEK 4670

Lot 4 RP857992

Relevant activity/ies:

ERA1(1b) – cultivating or holding crustaceans in enclosures that are on land and have a total area of more than 10ha to 100ha

ERA1(2b) – cultivating or holding marine, estuarine or freshwater organisms, other than crustaceans, in enclosures that are one land and have a total area of more than 10ha to 100ha

The environmentally relevant activity(ies) conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	**Condition**
G1	**Access to Copy of Environmental Authority** A copy of this environmental authority must be kept in a location accessible to personnel carrying out the **activity**.
G2	Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed site for a period of at least five years and be available for examination by an authorised person. For daily and weekly records, the record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three years and these records are then kept in the form of annual summaries after that period.

G3	**Alterations** No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development approval. An example of a substantial increase in the risk of environmental harm is an increase of 10% or more in the quantity of the contaminant to be released into the environment.
G4	**Monitoring and measurements** 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.
G5	All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.
G6	The holder of this environmental authority must develop and implement a Site-Based Management Plan which provides for the following functions: (a) routine operating procedures to prevent or minimise environmental harm; (b) maintenance policies and procedures; (c) contingency plans and emergency procedures to deal with foreseeable risks and hazards; (d) monitoring of the release of contaminants into the environment; (e) monitoring of the effects of the licensed activities on the environment; (f) handling of environmental complaints; (g) keeping and production of environmental records and reports; (h) staff training and awareness of environmental issues.
G7	A copy of the Site-Based Management Plan (SBMP) must be kept together with the copy of this permit required to be kept under condition G1.
Agency interest: Air	
Condition number	**Condition**
A1	**Non-specified Releases of Contaminants to the Atmosphere** Except as otherwise provided by another condition of this environmental authority, the **activity** must be carried out by such practicable means necessary to prevent the release or likelihood of release of contaminants to the atmosphere.

A2	Where it is not practicable to prevent a release of contaminants to the atmosphere as required by condition A1, the **activity** must be carried out by such practicable means necessary to minimise the release or likelihood of any such release of contaminants to the atmosphere.
A3	**Odour** The licensed activities which are the subject of this environmental authority must be carried out in such a manner to ensure that no odour deemed offensive by an authorised person and caused by the activities can be detected beyond the boundaries of the licensed site.
Agency interest: Water	
Condition number	**Condition**
W1	Contaminants must not be directly or indirectly released from the licensed site to: (i) any waters or the bed and banks of any waters except as permitted under another condition on this environmental authority; or (ii) a sewer, except as permitted or otherwise agreed from time to time by the relevant local government.
W2	The only contaminants permitted to be released from the licensed site at the release point specified in condition M8 is effluent from the on-site aquaculture.
W3	**Release Point Details** The **discharge canal**, through which effluent flows to Littabella Creek, must enter Littabella Creek below Low Water Datum such that the potential for erosion from the discharge in Littabella Creek is reduced to the minimum practicably and reasonably possible.
W4	The **discharge canal** must be lined to prevent scouring caused by flows in excess of 60 000 cubic meters per day. Materials used for the purpose of lining may include concrete or rocks.
W5	**Quantity of Contaminants Released** The total quantity of contaminants released into the **discharge canal** during any day must not exceed 120 000 cubic meters.
W6	**Quality Characteristics of Release to Waters** The release of contaminants to waters must comply, at the **Release Point** specified in condition M8, with each of the limits specified in condition W7 for each quality characteristic.

W7	Any release of water-borne contaminants from the **Release Point** as specified in condition M8 must meet the Water Release Limits of Schedule 3, Table 2. For any water quality characteristic not listed in Schedule 3, Table 2 – Water Release Limits, the effluent shall not have any properties nor contain any contaminants or organisms at a concentration which, in the opinion of the **administering authority**, are capable of causing, unacceptable environmental harm or an **environmental nuisance**.
W8	The release of contaminants to waters at the **Release Point** specified in condition M8 must only occur from **local high tide** until 1 hour before **local low tide** except as provided by condition W9.
W9	The release may only be continuous provided that ambient water quality monitoring, as required by condition M4 and any subsequent investigation, does not indicate the release is causing any significant impacts on the receiving environment.
W10	**Management of Releases** Notwithstanding another condition of this environmental authority, the discharge of effluent into the **discharge canal** must be carried out using all reasonable and practicable means necessary to prevent changes in the channel morphology and hydraulic flows of Littabella Creek.
W11	Where it is not reasonable or practicable to prevent a change in the channel morphology or hydraulic flows of Littabella Creek as required by condition W10, the discharge of effluent into the **discharge canal** must be carried out using all reasonable and practicable means necessary to minimise the changes in the channel morphology and hydraulic flows in Littabella Creek.
W12	**Stormwater management** The **activity** must be carried out by such reasonable and practicable means necessary to prevent the contamination of stormwater by contaminants. Precautions to prevent the contamination of stormwater may include, but are not limited to: (a) the directing of stormwater away from ponds, waste, cleaning fluids, other chemicals, feed used in the aquaculture activities and other processed materials; or (b) the storing of materials and wastes which may potentially contaminate stormwater within an appropriately constructed building or within a structure designed to protect the material or waste from contact with stormwater.
W13	Where it is not reasonable or practicable to prevent the contamination of stormwater as required by condition W12, the **activity** must be carried out by such means necessary to minimise the contamination of stormwater by contaminants.

Agency interest: Noise	
Condition number	**Condition**
N1	In the event of a complaint about noise that the **administering authority** considers is reasonable, then the emission of noise from the **activity** must not result in levels greater than those specified in Schedule 3 - Noise Limits Table until the circumstances which gave rise to the complaint are resolved.
Agency interest: Land	
Condition number	**Condition**
L1	The **activity** must be carried out by such practicable means necessary to prevent the release or likelihood of release of contaminants to land.
L2	Where it is not practicable to prevent any release of contaminants to land as required by condition L1, the **activity** must be carried out by such practicable means necessary to minimise the release or likelihood of release of any such contaminants to land.
Agency interest: Waste	
Condition number	**Condition**
WA1	Waste must not be released to the environment, stored, transferred or disposed contrary to any condition on this environmental authority.
WA2	**You** must not: (i) allow waste to burn or be burned at or on the licensed site; nor (ii) remove waste from the licensed site and burn such waste elsewhere.
WA3	An area must be set aside for the segregation and storage of recyclable solid wastes.
WA4	Where a no cost recycling service is available, recyclable waste must not be deposited in the general waste stream.
WA5	**Waste Storage and Handling Conditions** Drum storage of waste material or processed materials must be sealed or covered to prevent loss of contents or exposure of the contents to the atmosphere.
WA6	All storage of raw waste or processed materials must be sealed or covered to prevent loss of contents or exposure of the contents to the atmosphere.
WA7	The base and walls of all bunded areas must be kept free from gaps or cracks.

WA8	All loading/unloading of bulk materials must take place only within designated vehicle loading/unloading areas.
WA9	**Off Site Movement** Where **regulated waste** is removed from the licensed site (other than by a release as permitted by this environmental authority), **you** must monitor and keep records of the following: (a) the date, quantity and type of waste removed; 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.
WA10	**Waste Management Plan** The **activity** must be carried out in accordance with a Waste Management Plan.
WA11	The Waste Management Plan must detail at least the following: (a) the quantity of and nature of each waste produced; (b) the current method of disposal; (c) proposed methods of pre-treatment or disposal; (d) expected reduction in quantity of wastes produced; and (e) provision for carrying out a waste audit every 5 years.
Agency interest: Monitoring and Reporting	
Condition number	**Condition**
M1	**Compliant Recording** All complaints received by **you** relating to releases of contaminants from operations at the licensed site must be recorded and kept with the following details: (a) time, date and nature of complaint; (b) type of communication (telephone, letter, personal etc.); (c) name, contact address and contact telephone number of complainant (note: if the complainant does not wish to be identified then "not identified" is to be recorded); (d) response and investigation undertaken as a result of the complaint; (e) name of person investigating complaint; and (f) action taken as a result of the complaint investigation and signature of responsible person.

M2	**Monitoring of Contaminant Releases to Waters** **You** are responsible for the making of determinations and keeping of records of the quality of the contaminants released for the **Release Point**, quality characteristics, and the frequency specified in Schedule 2 – Monitoring.
M3	Notwithstanding condition M2 or any other condition of this environmental authority, all samples taken for the monitoring of water quality characteristics to ensure compliance with the quality characteristic limits in condition W7, must, where possible, be taken at a time when there has been no **significant rainfall** recorded on site during the preceding 120 hours.
M4	The holder of this environmental authority is responsible for the making of determinations and keeping of records of the quality of water sampled from the **intake** (ambient water quality) for the quality characteristics and at the frequency specified in Schedule 2 – Monitoring. **Monitoring point:** **Intake** **Intake** of water from Littabella Creek prior to any treatment or use in the **activity**.
M5	In the event that the results of monitoring required by condition (M4), during months when releases from W1 take place, significantly differ from baseline ambient water quality levels (as measured at the **intake**), at the request of the **administering authority**, **you** must complete an investigation into the source, cause and extent of any environmental harm that has already occurred or is likely to occur. The results of the investigation must be provided to the **administering authority** within one (1) month of the investigation being required. In assessing the monitoring results a suitably qualified person must give consideration to relevant methodology and water quality criteria specified by the Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and *New Zealand in Australian Guidelines for Water Quality Monitoring and Reporting, 2000* and *Australian and New Zealand Guidelines for Fresh and Marine Water Quality, 2000* or more recent editions of the documents. For the purpose of this condition, an **appropriately qualified person** is someone possessing appropriate qualifications and experience in the field of water monitoring program design, monitoring and data analysis and who can competently make recommendations about these matters.
M6	Baseline ambient water quality levels are to be determined by recording the results of the analysis of samples taken during months where no release has occurred.
M7	**Monitoring of Rainfall** Rain and other precipitation falling on the authorised place must be monitored daily using a rain gauge. A record must be kept of the results of the rainfall monitoring.
M8	**Sampling and Monitoring Point Details** Determinations of the quality of contaminants released to waters to check conformity with the release quality characteristics specified in "Agency Interest: Water" of this environmental authority must be undertaken at the **release point** described as: **Release Point:** W1 Outlet from the final settlement point to the effluent canal

M9	All determinations of the quality of contaminants released to waters must be made in accordance with methods prescribed in the Department of Environment and Heritage Protection Monitoring and Sampling Manual 2008 Version 2 September 2010 or more recent editions or supplements to that document as such become available.
M10	**Monitoring of Volume of Release** The daily quantity of effluent released at the **Release Point** specified in condition M8 must be determined by calculating maximum potential daily release. The maximum potential daily release will be assumed to be the actual volume released on any given day. This value is calculated as follows: MP = MR * MC Where: MP = maximum potential daily release (**L**); MR = total time effluent released on given day (**hr**); MC = maximum capacity of effluent release (**L/hr**).
M11	Records must be kept of the results of all determinations of the daily quantity of effluent released at the **Release Point** specified in condition M8.
M12	**Noise monitoring** Monitoring must be undertaken to investigate any complaint of noise annoyance upon receipt of a written request from the **administering authority** to carry out such monitoring.
M13	The method of measurement and reporting of noise levels must comply with the Department of Environment and Heritage Protection Noise Measurement Manual Version 4 22 August 2013 or more recent editions or supplements to that document as they become available.
M14	**Report Submission** The holder of this environmental authority must ensure that the results of all monitoring performed in accordance with this environmental authority for the period covered by the return are submitted with the Annual Return.

Definitions

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that 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.

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.

Discharge canal means the canal constructed on the approved place.

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

hr means hour/s.

***In situ* monitoring point** means a place where water samples are removed from Littabella Creek water for the purposes of analysis to determine whether the environmental activities on the licensed site are causing an effect on water quality. The location of this point is specified in condition M4.

Intake means the place where water is taken from Littabella Creek prior to any treatment or use in the **activity**. This is also the place where ambient water quality samples are taken from for the purposes of analysis in accordance with Schedule 2 Table 2.

L means litre/s.

$L_{Amax\ adj,\ T}$ means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a period of not less than 15 minutes, using Fast response.

L/hr means litres per hour.

Local high tide means the time at which high tide is reached at the mouth of Littabella Creek.

Local low tide means the time at which low tide is reached at the mouth of Littabella Creek.

mg/L means milligrams per litre.

Regulated waste means non-domestic waste listed in Schedule 7 of the Environmental Protection Regulation 2008, including, but not limited to, for the purpose of this approval, treatment tank sludges and residues (including sewage tank sludges and residues) and includes –

(a) for an element – any chemical containing the element; and
(b) anything that has contained a regulated waste.

Release point means the place where effluent is released from the final settlement pond to the **discharge**

canal. This is also the place where effluent samples are taken from for the purposes of analysis to determine whether the release complies with the effluent quality characteristics outlined in condition M2. The location of this point is specified in condition M8.

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

(a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential
(b) premises; or
(c) a motel, hotel or hostel; or
(d) a kindergarten, school, university or other educational institution; or
(e) a medical centre or hospital; or
(f) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage
(g) Area; or
(h) a public park or garden; or
(i) for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

Significant rainfall means greater than 5mm of rain falling in a single 24 hour period as measured by the rainfall monitoring required by condition M7.

Total Nitrogen means the sum of organic nitrogen, ammonia nitrogen, nitrite plus nitrate nitrogen.

Total Phosphorus means the sum of the reactive phosphorus, acidhydrolysable phosphorus and organic phosphorus, as **mg/L** of phosphorus. This includes both the inorganic and organic fraction of phosphorus.

µg/L means micrograms per litre.

You means the holder of the environmental authority.

Schedules

Schedule 1—Approved plans



Schedule 2—Monitoring

Table 1 – Required Release Point Determinations

Quality Characteristic	Monitoring Points	Frequency
Total Nitrogen	W1	Monthly
Total Phosphorus	W1	Monthly
Dissolved Oxygen	W1	Daily
Total Suspended Solids	W1	Monthly
pH	W1	Daily

Table 2 – Required Ambient Water Quality Determinations

Quality Characteristic	Monitoring Points	Frequency
Total Nitrogen	Intake	Monthly
Total Phosphorus	Intake	Monthly
Dissolved Oxygen	Intake	Monthly
Total Suspended Solids	Intake	Monthly
pH	Intake	Monthly

Schedule 3—Release limits

Table 1 - Noise Limits Table

Noise Level at a Noise **Sensitive Place** Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj,\ T}$	Period
Background plus 5 dB(A)	07:00 – 18:00
Background plus 5 dB(A)	18:00 – 22:00
Background plus 5 dB(A)	22:00 – 07:00
Noise Limits at a **Commercial Place** Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj,\ T}$	Period
Background plus 10 dB(A)	07:00 – 18:00
Background plus 10 dB(A)	18:00 – 22:00
Background plus 8 dB(A)	22:00 – 07:00

Table 2 – Water Release Limits

Quality Characteristic	Mean value (taken of any 7 consecutive samples)	Minimum value (any one sample)	Maximum value (any one sample)
Total Nitrogen	1 **mg/L**		4 **mg/L**
Total Phosphorus	0.2 **mg/L**		0.8 **mg/L**
Dissolved Oxygen		4 **mg/L**	
Total Suspended Solids	25 **mg/L**		100 **mg/L**
pH		6.5 pH units	8.5 pH units

END OF PERMIT