ENVIRONMENTAL PROTECTION ACT 1994

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Northern Regional Office (Townsville)
PO Box 5391 TOWNSVILLE MC QLD 4810
Phone: (07) 4722 5353 Fax: (07) 4722 5351
www.env.qld.gov.au ABN: 87221158786

Licence No. NR0144 (without development approval)

Section 93 *Environmental Protection Act 1994*

This licence to carry out an environmental relevant activity is issued in accordance with section 93 of the Environmental Protection Act 1994.

Under the provisions of the *Environmental Protection Act 1994* this licence is issued to:

Lyntune Pty Ltd
Lot 551 Mourilyan Harbour Road
MOURILYAN QLD

in respect of carrying out the environmental relevant activity:

1(b) Aquaculture - Cultivating or holding marine, estuarine or freshwater organisms (other than molluscs) in ponds or tanks or in enclosures in waters (the 'impoundments') if the total area of the impoundments is less than 5 ha and wastes are released to waters

located at:

Conn Creek, Hinchinbrook Channel.

This licence is subject to the conditions set out in the attached schedules.

The anniversary date of this licence is **15 July**

This amended licence takes effect from 30 July 2004.

..... Signed ..... Date

Tania Laurencont
District Manager
Delegate of Administering Authority
Environmental Protection Act 1994

Note: This licence document is not proof of the current status of the licence. The current status of the licence may be ascertained by contacting the Environmental Protection Agency.

Schedule of conditions

The aforementioned description of the ERA for which this authority is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing this authority. Where there is any conflict between the above description of the ERA for which this authority is issued and the conditions as specified in this authority as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This environmental authority consists of the following schedules:-

SCHEDULE A - General Conditions

SCHEDULE B - Water

SCHEDULE C - Stormwater Management

SCHEDULE D - Noise

SCHEDULE E - Waste Management

SCHEDULE F - Monitoring and Reporting

SCHEDULE G - Definitions

SCHEDULE A - GENERAL CONDITIONS

General

(A1) This environmental authority applies to the operation of aquaculture sea cages having a combined total area of not more than 1.7 hectares.

Access to Copy of Environmental Authority

(A2) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A3) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place 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 (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

(A4) 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 environmental authority.

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.

Monitoring and Measurements

(A5) All determinations of the quality of contaminants released to the environment and all measurement and reporting of noise levels that are required by this environmental authority must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required determinations and the required measurements.

(A6) 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.

Competency

(A7) The holder of this environmental authority shall ensure that the operation and maintenance of the aquaculture facility is carried out by or under the supervision of a person competent to operate and maintain the facility in accordance with the conditions of this authority.

Site-Based Management Plan

(A8) The holder of this environmental authority must:

(a) develop and implement a Site-Based Management Plan which provides for the following functions:

(i) Routine operating procedures to prevent or minimise environmental harm; and
(ii) Maintenance practices and procedures; and
(iii) Contingency plans and emergency procedures to deal with foreseeable risks and hazards; and
(iv) Monitoring of the release of contaminants into the environment; and
(v) Assessment of the environmental impact of any releases of contaminants into the environment; and

(vi) Handling of environmental complaints; and
(vii) Keeping and production of environmental records and reports; and
(viii) Staff training and awareness of environmental issues.

(b) when developing the Site-Based Management Plan, address and provide for all conditions of the environmental authority.

(c) on or before six calendar months from the date this environmental authority takes effect have completed and implemented the Site-Based Management Plan.

(A9) A copy of the Site-Based Management Plan must be kept in a location readily accessible to personnel carrying out the activity.

End of Conditions for Schedule A

SCHEDULE B - WATER

Release of Contaminants to Waters

(B1) The only contaminants permitted to be released from sea cages at the licensed place are metabolic wastes from fish stock and particulate organic matter derived from feed from the seacage farming activities.

Food Conversion Ratio

(B2) The holder of this environmental authority shall adopt such measures as necessary to aim for optimal food conversion ratios as determined in accordance with conditions F2 and F3. Such measures should include methods to minimise wastage of food during feeding and optimising the type of feed used.

End of Conditions for Schedule B

SCHEDULE C - STORMWATER MANAGEMENT

Spillage Control - Storage Areas

(C1) All fuel, food and chemical storages must be stored in such a manner that there is sufficient containment for any spillages and to prevent any leakage at all times.

(C2) Spillages and contaminated rainwater are not to be released to waters.

End of Conditions for Schedule C

SCHEDULE D - NOISE

Emission of Noise

(D1) In the event of a complaint being received by the administering authority 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 Table 1 of the Noise Schedule except during such reasonable period as may be required to implement abatement measures, or until the circumstances which gave rise to the complaint are resolved. (Note this condition does not include noise levels from motor vessels)

Schedule D Table 1

Noise Level at 100 metres from the licensed premises as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj,T}$	Period
background noise level plus 5 dB(A)	7 am - 6 pm
background noise level plus 5 dB(A)	6 pm - 10 pm
background noise level plus 3 dB(A)	10 pm - 7 am

End of Conditions for Schedule D

SCHEDULE E - WASTE MANAGEMENT

General

(E1) The holder of this environmental authority must not:

(i) allow waste to burn or be burned at or on the licensed place; nor
(ii) remove waste from the licensed place and burn such waste elsewhere.

Off Site Movement

(E2) The holder of this environmental authority must only dispose of regulated waste to a person licensed under the *Environmental Protection Act 1994* to accept such waste.

(E3) Any regulated wastes removed by a third party can only be carried out by a person licensed under the *Environmental Protection Act 1994* to transport such wastes and the holder of this environmental authority must ensure that the waste transporter is provided with a copy of the records required by condition E4 at the time of dispatch.

(E4) Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority 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.

(E4) All dead fish must be removed and disposed of ashore.

End of Conditions for Schedule E

SCHEDULE F - MONITORING AND REPORTING

Complaint Recording

(F1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the licensed place 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 responsible for investigating complaint; and
(f) action taken as a result of the complaint investigation and signature of responsible person.

Food Conversion Ratio (FCR)

(F2) A monthly record shall be maintained of:

(a) the type and weight of food used per cage;
(b) feeding method;
(c) the stocking density estimates of fish per cage.

(F3) Where appropriate monthly samples of stock shall be used to estimate the FCR for the cages sampled, for the purposes for achieving compliance with condition C2.

Environmental Monitoring Program

(F4) The licensee shall develop an environmental monitoring and reporting program to monitor the quality of the sediment and water in the vicinity of the farm and at appropriate control sites.

(a) On or before 30 August 1997 lodge a detailed description of environmental monitoring and reporting program and its documentation with the administering authority for its review and comment; and

(b) Have due regard to that comment in the finalisation of the environmental monitoring and reporting program; and

(c) On or before 30 September 1997, have finalised the design and implemented the environmental monitoring and reporting program.

(F5) All determinations of the quality of contaminants released to waters must be made in accordance with methods prescribed in the Department of Environment Water Quality Sampling Manual, 2nd Edition, February 1995, or more recent additions or supplements to that document as such become available.

Noise Monitoring

(F6) For the purposes of checking compliance with Schedule F**,** monitoring and recording of the noise levels from the activity must be undertaken for the following descriptions, characteristics and conditions:

(a) $L_{Amax,\ Adj\ T}$;
(b) $L_{Abg,\ T}$ or $L_{A90,\ T}$;
(c) The level and frequency of occurrence of impulsive or tonal noise;
(d) Atmospheric conditions including temperature, relative humidity and wind speed and direction;

(F7) The holder of this environmental authority must monitor and record the noise levels to check compliance with the conditions of this authority not less frequently than annually during representative operating conditions.

(F8) The method of measurement and reporting of noise levels must comply with the Department of Environment Noise Measurement Manual, second edition, March 1995, or more recent additions or supplements to that document as become available.

Report Submission

(F9) The holder of this environmental authority must ensure that the results of all monitoring performed in accordance with conditions F2, F3 and F4 for the period covered by the return are submitted with the Annual Return.

Incident Recording

(F10) A record must be maintained of at least the following events:

(a) the time, date and duration of any disease;
(b) the date of any significant mortality;
(c) the date, duration and a description of the application of any chemicals including therapeutants, disinfectants, biocides;
(d) any uncontrolled release of contaminants reasonably likely to cause environmental harm; and
(e) any emergency involving the release of contaminants reasonably likely to cause material or serious environmental harm requiring the use of fire fighting equipment.

Notification of Emergencies and Incidents

(F11) Where the holder of this environmental authority has not given notification to the administering authority under section 350 of the Environmental Protection Act, as soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.

(F12) Where the holder of this environmental authority has not given notification to the administering authority under section 350 of the Environmental Protection Act, the notification of emergencies or incidents as required by condition number F11 must include but not be limited to the following:

(a) the holder of the environmental authority;
(b) the location of the emergency or incident;
(c) the number of the environmental authority;
(d) the name and telephone number of the designated contact person;
(e) the time of the release;
(f) the time the holder of the environmental authority became aware of the release;
(g) the suspected cause of the release;
(h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
(i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(F13) Where the holder of this environmental authority has not given notification to the administering authority under section 37 of the Environmental Protection Act, not more than 14 days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition number F12 in addition to:

(a) proposed actions to prevent a recurrence of the emergency or incident;
(b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance.

End of Conditions for Schedule F

SCHEDULE G - DEFINITIONS

For the purposes of this environmental authority the following definitions apply:

(G1) "$L_{Amax\ adj,T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.

(G2) "Background noise level" means <u>either</u>:

$L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than 15 minutes, using Fast response, <u>or</u>

$L_{Abg,T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.

(G3) "Max$L_{pA,T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than 15 minutes, using Fast response.

End of Conditions for Schedule G

END OF ENVIRONMENTAL AUTHORITY