Permit

Environmental Protection Act 1994

Environmental authority EPPR00223313

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

Environmental authority number: EPPR00223313

Environmental authority takes effect on 8 May 2017

Environmental authority holder(s)

Name(s)	Registered address
Rockaqua Pty Ltd	4 Rocky Point Road WOONGOOLBA QLD 4207

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
1-(1a) Aquaculture >100m^2 but <10ha – cultivating or holding crustaceans in enclosures that are on land 1-(2a) Aquaculture >100m^2 but <10ha – cultivating or holding marine, estuarine or freshwater organisms, other than crustaceans, in enclosures that are on land	237A Rocky Point Road and WOONGOOLBA - Lot 22 Plan SP134133

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).

ABN 46 640 294 485

Queensland Government

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- one 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 *Sustainable Planning Act 2009* 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.

	08 MAY 2017
Signature	Date

Kerynne Birch
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372 (option 4)
Email: palm@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

Agency interest: General	
Condition number	**Condition**
G1	In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and/or minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this environmental authority.
G2	This environmental authority authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this environmental authority explicitly authorises that harm. Where there is no condition or the environmental authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.
G3	The registered operator must: 1. install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and 2. maintain such measures, plant and equipment in a proper and efficient condition; and 3. operate such measures, plant and equipment in a proper and efficient manner.
G4	A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.
G5	Monitoring results and any records or documents required to be kept by this environmental authority must be kept at the authorised place for a minimum period of five (5) years and be available for examination and copying upon request by an authorised person. When requested by the administering authority, such results and records must be compiled and presented to the administering authority in the format specified.
G6	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 ten (10) percent or more in the quantity of the contaminant to be released into the environment.
G7	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.
G8	Notwithstanding any other condition of this environmental authority, this environmental authority does not authorise any release of contaminants that causes or is likely to cause an environmental nuisance beyond the boundaries of the approved place.
G9	From commencement of the activity, a Site Based Management Plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. 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.
G10	The Site Based Management Plan must include documented contingency plans that detail: 1. emergency plans and procedures to deal with foreseeable risks and hazards; 2. measures to ensure that exotic organisms and their propagules are excluded from the operation; 3. the methods and strategies to manage any disease outbreak or a suspected disease outbreak to prevent the release of contaminants to the environment, including diseased or potentially diseased organisms and waters or other wastes that have been or may have been in contact with diseased or potentially diseased organisms.
G11	The registered operator must not implement or amend a Site Based Management Plan in a way that contravenes any condition of this environmental authority.
G12	The administering authority must be notified as soon as practicable when any release of contaminants is not in accordance with the conditions of this environmental authority or any event where environmental harm may be threatened.
G13	Written advice must be provided within fourteen (14) days following notification of any event as identified in condition number (G12) and must include the following information: 1. the location of the event; 2. the time of the event; 3. the time you became aware of the event; 4. the suspected cause of the event; 5. a description of the resulting effects of the event; 6. the full analysis results of monitoring that showed exceedance; 7. 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; 8. the results of any subsequent analysis to verify the success of any remedial actions.

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G14	There must be no lowering of the ground watertable as a result of carrying out the environmentally relevant activity where such lowering would be likely to expose any acid sulfate soils or potential acid sulfate soils to aerobic conditions nor any excavation or other disturbance of such soils.
G15	An annual monitoring report must be provided to the administering authority with the annual return that includes at least the following information: 1. copies of the previous twelve (12) monitoring results of monitoring and determinations required to be carried out under this environmental authority; 2. a summary of those monitoring and determination results for quality and quantity of contaminants released to waters, depicted in a graphical form showing time on one axis, the data on the other, as well as the relevant limit(s); 3. if any environmental monitoring programs are undertaken, an evaluation/explanation of the data obtained; and 4. an outline of actions taken or proposed to minimise the risk of environmental harm from any deficiency identified by the monitoring or recording programs.
Agency interest: Land	
Condition number	**Condition**
L1	There must be no release nor likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of such land.
Agency interest: Noise	
Condition number	**Condition**
N1	Subject to condition N2, the emission of noise from carrying out the environmentally relevant activities must not result in levels greater than those levels specified in Schedule 1, Table 1.
N2	Condition N1 applies if: 1. there are complaints to the administering authority about the level of noise from any source in carrying out the environmentally relevant activities at the approved place; and 2. the complaints are not frivolous or vexatious or based on mistaken belief.
N3	When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within fourteen (14) days to the administering authority. Monitoring must include: 1. the background noise level $L_{A\ 90,\ 15mins}$; 2. $L_{A\ Max\ adj,\ 15\ mins}$; 3. the level and frequency of occurrence of impulsive or tonal noise; 4. atmospheric conditions including wind speed and direction; 5. effects due to extraneous factors such as traffic noise; and 6. location, date and time of recording.

N4	The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's Noise Measurement Manual.
Agency interest: Water	
Condition number	**Condition**
W1	The only contaminants permitted to be released from the approved place directly or indirectly to any waters or the bed and banks of any waters are aquaculture hatchery waste waters to the waters at the locations specified below: 1. Release point W1 - Treated aquaculture hatchery waste water from treatment pond via an outfall to waters described as Moreton Bay, opposite the northern end of the approved place.
W2	The release of contaminants to waters must be carried out in such a manner which does not disturb mangrove vegetation, the banks or bed of the waterway or the habitat in general.
W3	The total quantity of contaminants released from release point W1 per day over a monthly period on average must not exceed seven hundred and fifty (750) cubic metres.
W4	The release of contaminants to waters must comply, at the sampling and in-situ measurement point/s specified in Schedule 2, Table 2, with each of the limits specified in Schedule 2, Table 1, for each characteristic.
W5	In addition to condition W4, the release of contaminants to waters must comply with the following qualitative characteristics: 1. the release must not have any properties nor contain any organisms or other contaminants which are capable of causing environmental harm; and 2. the release must not produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum, litter or other objectionable matter.
W6	Where a disinfectant agent that has a residual action is used, such as chlorine, then release of contaminants must not occur until that residual has been reduced to levels that will not nor are not likely to cause environmental harm, for example dechlorinating chlorinated waste water or holding it until the chlorine residual has decayed. The settlement pond must not be used for this purpose.
W7	There must be no release or likelihood of release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.
W8	Any liquids stored on site that may cause environmental harm, including all chemicals, fuels, and disinfectants, must be stored in an effective on-site containment system that is impervious to the materials stored and sized to contain at least: 1. one hundred and ten percent (110%) of the tank's volume if a single tank storage; 2. one hundred percent (100%) of the largest storage tank plus ten percent (10%) of the second largest tank if a multiple tank storage; or 3. at least twenty-five percent (25%) of the maximum design storage volume if a drum or bottle storage.

W9	All containment systems must be roofed where practicable. Where it is impractical to completely roof a containment system, any stormwater captured within the system must be free from contaminants or wastes prior to any release.
W10	Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillages must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any external stormwater drainage system, roadside gutter or waters.
W11	All ponds used for the storage or treatment of contaminants or wastes must be installed and maintained to ensure the stability of the pond's/pit's construction.
W12	Sampling and monitoring must be undertaken and records kept of contaminant releases to waters from the release points for the parameters and not less frequently than specified in Schedule 2, Table 2. All determinations of the quality of contaminants released to waters must be: 1. performed by a person or body possessing appropriate experience and qualifications to perform the required measurements; and 2. made in accordance with methods prescribed in the current edition of the administering authority's Monitoring and Sampling Manual; and 3. carried out on samples that are representative of the contaminants being discharged; and 4. must be undertaken at the sampling and in-situ measurement point(s) described as: Sampling Point S1: The outflow from settlement pond to Moreton Bay.
W13	The daily volume of contaminants released to waters must be determined or estimated by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.
Agency interest: Waste	
Condition number	**Condition**
WS1	Ensure that regulated waste is not removed from the approved place by any person who does not hold a current environmental authority/approval to transport such waste under the provisions of the *Environmental Protection Act 1994*.
WS2	Ensure that any regulated waste removed from the approved place is transported to a facility that is approved to accept such waste under the provisions of the *Environmental Protection Act 1994*.
WS3	Advise the administering authority forthwith of all known details upon becoming aware or suspecting any unlawful disposal of regulated waste.
WS4	Waste generated or used in the carrying out of the environmentally relevant activity must be stored, handled and transferred in a proper and efficient manner.
WS5	The registered operator must not: 1. burn waste at or on the approved place; nor 2. allow waste to burn or be burnt at or on the approved place; nor 3. remove waste from the approved place and burn such waste elsewhere.

WS6	Any on-site sewage treatment and disposal system(s) must be operated and maintained in a proper and efficient manner.
Agency interest: Community	
Condition number	**Condition**
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.

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.

General Definitions

"administering authority" means the Department of Environment and Heritage Protection or its successor or predecessors.

"you" means the holder of the environmental authority.

"approved place" means the place to which this development approval relates, "site" has the same ' meaning.

"land" in the land schedule means land excluding waters and the atmosphere.

Water Definitions

"Total Nitrogen" means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen, which must be reported separately.

"mg/L" means milligrams per litre.

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

"minimum" means that the measured value of the quality characteristic or contaminant must not be less than the release limit stated.

"range" means that the measured value of the quality characteristic or contaminant must not be greater than the higher release limit stated nor lower than the lower release limit stated.

"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.

Noise Definitions

"background noise level" means either:

- $L_{A90, T}$ being the A-weighted sound pressure level exceeded for 90 percent measured over a time period of not less than 15 minutes, using Fast response; or

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

"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.;

and includes the curtilage of such place.

"commercial place" means a place used as an office or for business or commercial purposes.

"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.

"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.

"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.

"$L_{Amax\ adj,\ T}$" 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.

Schedules

Schedule 1—Noise

Table 1—Noise limits

NOISE LIMITS AT A NOISE SENSITIVE PLACE	
Period	Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj,\ T}$
7 am - 6 pm	Background noise level plus 5 dB(A)
6 pm - 10 pm	Background noise level plus 5 dB(A)
10 pm - 7 am	Background noise level plus 3 dB(A)
NOISE LIMITS AT A COMMERCIAL PLACE	
Period	Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj,\ T}$
7 am - 6 pm	Background noise level plus 10 dB(A)
6 pm - 10 pm	Background noise level plus 10 dB(A)
10 pm - 7 am	Background noise level plus 8 dB(A)

Schedule 2—Water

Table 1—Water release limits

QUALITY CHARACTERISTICS	RELEASE POINT NUMBER	RELEASE LIMIT	LIMIT TYPE
Suspended Solids (mg/L)	W1	20 100	Mean Maximum
pH (pH units)	W1	6.5-8.5	Range
Total Nitrogen (mg/L)	W1	1.0, or 120% of ambient*, whichever is the greater	Maximum
Total Phosphorous (mg/L)	W1	0.5, or 120% of ambient*, whichever is the greater	Maximum
Dissolved Oxygen (mg/L)	W1	4	Minimum
Free Chlorine Residual (mg/L)	W1	0.04	Maximum

* Ambient means the value of a sample that may, as an option, be taken from Moreton Bay opposite the approved place. 120% means 1.2 times that value.

Table 2—Sampling and monitoring frequency

QUALITY CHARACTERISTIC DETERMINATION	RELEASE POINTS	SAMPLING POINT	FREQUENCY
5-day Biochemical Oxygen Demand (mg/L)	W1	S1	Monthly, whilst discharges occur
Suspended Solids (mg/L)	W1	S1	Monthly, whilst discharges occur
pH (pH units)	W1	S1	Monthly, whilst discharges occur
Total Nitrogen (mg/L)	W1	S1	Monthly, whilst discharges occur
Total Phosphorous (mg/L)	W1	S1	Monthly, whilst discharges occur
Dissolved Oxygen (mg/L)	W1	S1	Monthly, whilst discharges occur
Chlorophyll 'a' (organisms/100ml)	W1	S1	Monthly, whilst discharges occur
Free Chlorine Residual (mg/L)	W1	S1	On each day that contaminants that have been chlorinated are discharged

END OF ENVIRONMENTAL AUTHORITY