Permit

Environmental Protection Act 1994

Environmental authority EPPR00240713

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

Environmental authority number: EPPR00240713

Environmental authority takes effect on 28 September 2018

Environmental authority holder(s)

Name(s)	Registered address
DE COSTI SEAFOODS PTY LTD	29 Bachell Ave LIDCOMBE NSW 2141 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 1(b) – Aquaculture: Cultivating or holding crustaceans in enclosures that are on land and have a total area of more than 10ha but not more than 100ha	Lot 30 NR4494

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).

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

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

- 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 *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.

	28/9/18
Signature	Date

Dan Garnett
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Industry and Development
Department of Environment and Science
Phone: 1300 130 372
Email: palm@des.qld.gov.au

Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

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 Natural Resources, Mines and Energy (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

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.

Conditions of environmental authority EPPR00240713

Relevant Activities:	**Location:**
1(b) Aquaculture; cultivating or holding crustaceans in enclosures that are on land and have a total area of more than 10ha but not more than 100ha.	Daveson Road Garners Beach QLD 4852 Lot 30 NR4494

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	Contaminants must not be released to the environment other than in accordance with this environmental authority.
G2	You must: (a) install and operate all works and control equipment; and (b) take all measures, perform all acts and do all things, necessary to ensure compliance with the conditions of this environmental authority.
G3	This environmental authority applies to the operation of thirty-four (34) prawn ponds at the authorised place having a combined total area of not greater than thirty-five (35) hectares.
G4	You must not change, replace or alter the operation of any plant, equipment or ponds if such change, replacement or alteration increases, or is likely to increase the risk of environmental harm.
G5	A copy of this environmental authority must be kept at the authorised place in a location readily accessible to personnel carrying out the activity.
G6	You shall ensure that operation and maintenance of the aquaculture facility is carried out by or under the supervision of a person who is competent to operate and maintain the facility.
G7	Any record required to be kept by a condition of this environmental authority must be kept at the authorised place and be available for examination by an authorised person.
G8	Copies of any record required to be kept by a condition of this Environmental Authority must be provided to any authorised person or the administering authority upon request.
G9	Any instrument used for the measurement of any parameter specified in this environmental authority must be calibrated, operated and maintained in good working order and in accordance with the manufacturer's specifications.
G10	You must notify the administering authority in writing of any monitoring result which indicates non-compliance with any quality or quantity requirement of this environmental authority. Such notification must occur within twenty-eight (28) days of completion of the monitoring indicating non-compliance.
G11	All determinations of the quality of contaminants released must be performed by a person or body acceptable to the administering authority.
Agency interest: Noise	
Condition number	**Condition**
N1	The environmentally relevant activity must be carried out by such practicable means necessary to prevent or minimise the emission or likelihood of emission of noise.
Agency interest: Air	
A1	Except as otherwise provided by the conditions of this environmental authority, the environmentally relevant activity must be carried out by such practicable means necessary to prevent or minimise the release or likelihood of release of contaminants to the atmosphere.
A2	Notwithstanding any other condition of this environmental authority, no odour determined by an authorised person to be noxious or offensive is to be released beyond the boundaries of the authorised place.

A3	No release of contaminants, including but not limited to odour, dust, smoke, fume, particulate, and aerosols, is to cause or be likely to cause an environmental nuisance beyond the boundaries of the authorised place.
Agency interest: Waste	
Condition number	**Condition**
W1	Waste must be stored, transferred or disposed of in such a way as to minimise the release of contaminants to the environment.
Agency interest: Water	
Condition number	**Condition**
WT1	Except as otherwise provided by the conditions of this environmental authority, the environmentally relevant activity must be carried out by such practicable means necessary to prevent or minimise the release or likelihood of release of contaminants to waters.
WT2	Contaminants must not be directly or indirectly released from the activity to any waters or the bed and banks of any waters except as permitted under this environmental authority.
WT3	Contaminants must not be released directly or indirectly from the activity to any waters at any location other than from the release point (W1) which is located on a small creek adjacent to the northern boundary of the site discharging into Maria Creek.
WT4	Other than during periods of prolonged excessive rainfall the total quantity of contaminants (prawn pond effluent) released to Maria Creek from the release point (W1) during any day must not exceed 35,000 cubic metres.

WT5

The release of contaminants to waters from the release point must comply with the limits for each quality characteristic specified in Table 1.

Table 1 - Surface Water Release Limits

Quality Characteristics	Discharge limit	Limit type	Minimum Sampling Frequency
pH	6.5 to 8.7	range	Weekly
Dissolved Oxygen. (mg/L)	4.0	minimum	Weekly
5-day Biochemical Oxygen Demand (BOD5) (mg/L)	20	maximum	Monthly
Suspended solids (mg/L)	25 100	80th percentile maximum	Monthly
Total Nitrogen (mg/L)	2.0 5.0	80th percentile maximum	Monthly
Chlorophyll a.(µg/l)	50 100	80th percentile maximum	Monthly
Total Phosphorus as P (mg/L)	0.2 0.6	80th percentile maximum	Monthly

Associated Requirements

1. The registered operator is responsible for determining the quality of contaminants released to waters from the release point (W1) by determining those quality characteristics specified in Table 1. Such determinations must be carried out at the release point as often as is necessary to check compliance with this environmental authority but not less frequently than the frequency shown in that table.
2. Water Quality Monitoring must be in accordance with the methods prescribed in the current edition of the administering authority's Monitoring and Sampling Manual.

WT6	The daily quantity of contaminants released to Maria Creek must be determined by a method acceptable to the administering authority.
WT7	Records must be kept of the results of all determinations of the quality and quantity of contaminants released to waters for a period of at least two (2) years.
WT8	Notwithstanding the quality characteristic limits specified in Table 1 the release of contaminants to waters must comply with the following qualitative characteristics: (a) the release must not have any properties nor contain any organisms or other contaminants which, in the opinion of the administering authority, are capable of causing unacceptable environmental harm; and (b) 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.
WT9	As far as is practicable the release of contaminants to waters should occur on the out-going tide.
WT10	The activity must be carried out by such practicable means necessary to prevent or minimise the contact of incident rainfall and stormwater runoff with aquaculture wastes or other contaminants, and prevent or minimise the release or likelihood of release of contaminated stormwater runoff from the authorised place.
WT11	Contaminated runoff from pond sludge conditioning areas shall as far as is practicable be retained within the catchment of the growout and settling ponds.

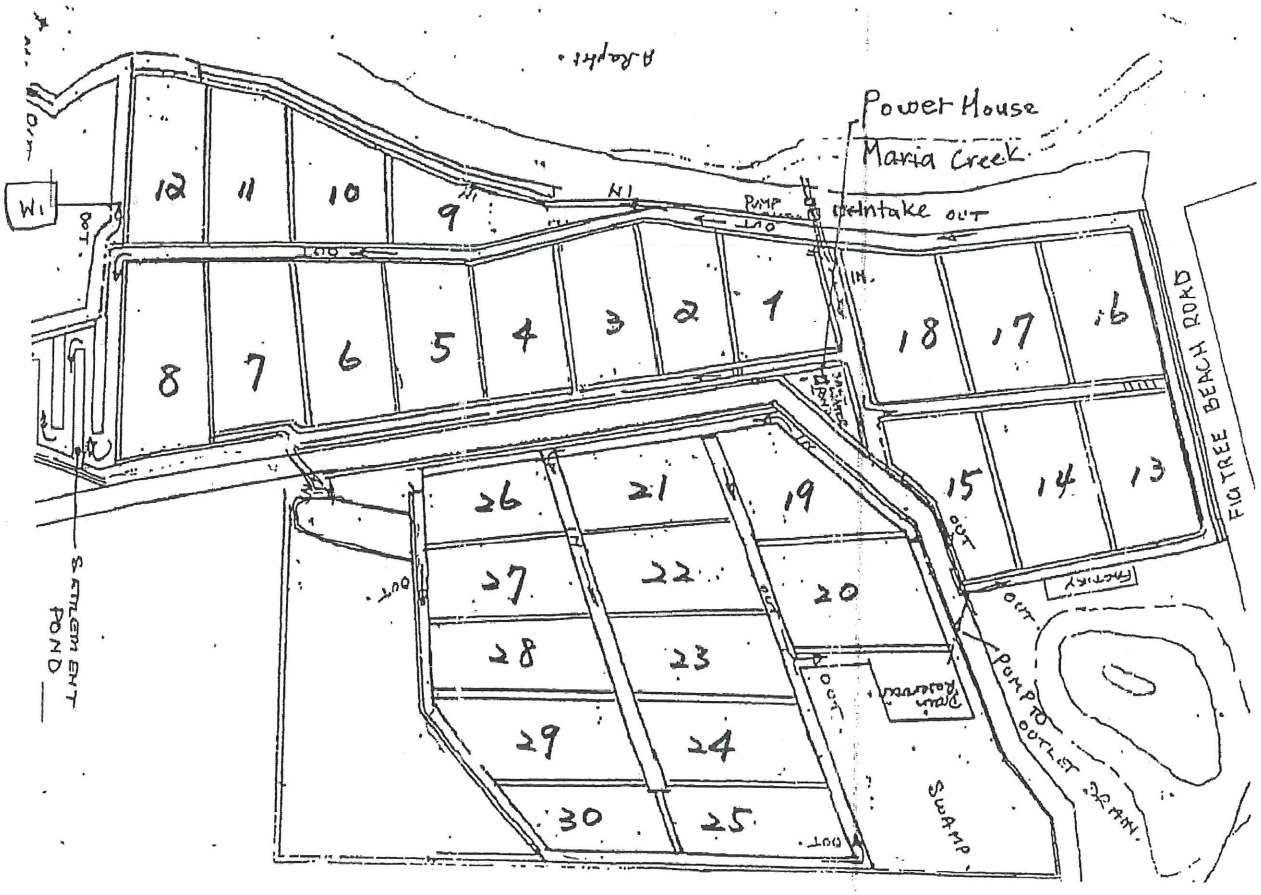
Agency interest: Land

Condition number	**Condition**

Queensland Government

L-1	The environmentally relevant activity must be carried out by such practicable means necessary to ensure that disposal to land of prawn pond sludge does not in the opinion of the administering authority cause unacceptable environmental harm.

Attachment 1—Approved plans for Aquaculture Operation



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Definitions

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 Science or its successor or predecessors.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

BOD5 means the 5 day biochemical oxygen demand determined using standard tests (e.g. those used by NATA laboratories). This test is not inhibited for nitrification, otherwise would be referred to as "carbonaceous" BOD.

Day means any 24 hour period.

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

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

Measures has the broadest interpretation and includes plant, equipment, physical objects, bunding, containment systems, monitoring, procedures, actions, directions and competency.

mg/L means milligrams per litre

Minimum means that the measured valued of the quality characteristic or contaminant must not be less than the release limit stated

NATA means National Association of Testing Authorities.

Total Nitrogen (TN) means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen, expressed as mg/L as Nitrogen. This includes both the inorganic and organic fraction of nitrogen.

Total Phosphorus (TP) means the sum of the reactive phosphorus, acid-hydrolysable 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.

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

You means the holder of the environmental authority.

80th percentile means not more than one fifth, of the measured values are to exceed the stated release limit for the limit period, for example, no more than ten (10) for any fifty (50) consecutive samples for the long term period.

END OF PERMIT