Department of Environment
and Resource Management

Notice

Change to a development approval

This notice is issued by the Department of Environment and Resource Management pursuant to section 378 of the Sustainable Planning Act 2009 ("the Act").

D. & J. Symons
Campwin Beach Marine Farm
MS 352 Eimeo Road
MACKAY QLD 4740

Our reference: 225343

Re: Request to change a development permit

1. The Chief Executive, Department of Environment and Resource Management (the department) as assessment manager, received a request to change a development approval (Permit Ref: IPDE02133710) on 2 May 2012.

2. **Details of the development permit for the original application**

Date original application made or referred to DERM:	2 March 2000
Development approval applied for:	Development Permit
Aspect(s) of development:	ERA 1 (1b) aquaculture – cultivating or holding crustaceans in enclosures that are on land and have a total area of more than 10ha to 100ha.
Property/Location description:	Lot 1 on Plan RP744613 – Campwin Beach Road SARINA

Date of decision for the original development approval: 14 April 2000

Department of Environment and Resource Management
www.derm.qld.gov.au ABN 46 640 294 485
Queensland Government

3. The permit has been amended to the extent that the struck through text be replaced by the bold faced text as detailed below:

Number and Area of Ponds

(A6) This environmental authority applies to the operation of:

(i) not more than ~~8~~ **9** aquaculture ponds having a combined total area of not greater than 14 hectares; and

(ii) an on-farm waste water management system with surface area of 2.5 hectares and volume of 100 mega litres designed to remove particulates suspended in water released from growout ponds and which is constructed and operated in accordance with the Moreton Bay Aquaculture (Mackay) Pty. Ltd., 1997 Application For Amendment Of Licence Section 49(2).

4. If this notice is given to the person who made the request, or to an entity that gave the department as the responsible entity a notice under section 373 of the Act or a pre-request response notice, or if this notice is given by the department as a concurrence agency and the concurrence agency's decision is to refuse the request or approve the request on conditions, such person or entity may appeal against the decision and the attached extract from the Act states how the person or entity may appeal.

Delegate
Terry Farley
Manager
Environmental Services - Mackay

17 May 2012

Enquiries:
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SCHEDULE A - GENERAL CONDITIONS

Access to Copy of Environmental Authority

(A1) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A2) 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

(A3) 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

(A4) 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.

(A5) 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.

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Number and Area of Ponds

(A6) This environmental authority applies to the operation of:

(i) not more than 8 aquaculture ponds having a combined total area of not greater than 14 hectares; and

(ii) an on-farm waste water management system with surface area of 2.5 hectares and volume of 100 mega litres designed to remove particulates suspended in water released from growout ponds and which is constructed and operated in accordance with the Moreton Bay Aquaculture (Mackay) Pty. Ltd., 1997 Application For Amendment Of Licence Section 49(2).

END OF CONDITIONS FOR SCHEDULE A

SCHEDULE B - WATER

Release of Contaminants to Waters

(B1) The only contaminants permitted to be released from the licensed place at the release point W1, are:

(i) waste waters originating from aquaculture ponds referred to as numbers 1 through to 3 inclusive on the site plan submitted with the Moreton Bay Aquaculture (Mackay) Pty. Ltd., 1997 Application For Amendment Of Licence Section 49(2) which drain through the pond drainage system, and

(ii) waste waters originating from aquaculture ponds referred to as numbers 4 through to 8 inclusive on the site plan submitted with the Moreton Bay Aquaculture (Mackay) Pty. Ltd., 1997 Application For Amendment Of Licence Section 49(2)., which drain through the pond drainage and treatment systems.

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Release Points

(B2) Contaminants that may cause environmental harm must not be directly or indirectly released from any source on the licensed place to any waters at any location other than the contaminants and sources at the locations listed below:

Release Point W1 - Waste water discharge from licensed site to waters described as Castrades Inlet, at a location described as adjacent to the premises.

Quantity of Contaminants Released

(B3) The quantity of contaminants released during any day from release point W1 must average no more than 5% over the crop plus 1 harvest pond.

Quality Characteristics of Release to Waters

(B4) The release of contaminants to waters must comply, at the sampling and in situ monitoring point/s specified in Schedule G, with each of the limits specified in Schedule B Table 1 for each Quality Characteristic.

Times of Release

(B5) The release of contaminants to waters must only occur from 1.5 hours after local high water until 1 hour before local low water.

SCHEDULE B TABLE 1 - RELEASE QUALITY CHARACTERISTIC LIMITS

Quality Characteristics	Measurement Point	Discharge Limit	Limit Type
Suspended Solids (mg/L)	W1	40/65/100	Median/80th Percentile/Maximum
pH (pH Units)	W1	6.5 - 8.7	Range
Dissolved Oxygen (mg/L)	W1	4.0/5.5	Minimum/Median
Total Nitrogen (mg/L)	W1	2.0/2.5/3.5	Median/80th Percentile/Maximum
Chlorophyll *a* (µg/L)	W1	15/100	Median/Maximum
Total Phosphorus as P (mg/L)	W1	0.2/0.35/0.45	Median/80th Percentile/Maximum

(B6) For all parameters in Table 1, except dissolved oxygen concentration, where a median and/or 80th percentile and/or maximum limit is specified, the datum or set of data describing the release quality characteristics must have a median lower in

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value than the median limit and an 80th percentile lower in value than the 80th percentile limit and a maximum lower in value than the maximum limit.

For dissolved oxygen concentration, the datum or set of data describing the release quality characteristics must have a median higher in value than the median limit and a minimum higher in value than the minimum limit.

(B7) Notwithstanding any other condition of this environmental authority, any release of contaminants to waters 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.

END OF CONDITIONS FOR SCHEDULE B

SCHEDULE C -STORMWATER MANAGEMENT

Stormwater Management Plan

(C1) All spillage control compounds must be constructed and maintained so as to be sufficiently impervious to allow retention and recovery of any materials being stored within the compound

(C2) Washing, degreasing, servicing or other maintenance of vehicles, plant or other equipment must not occur on the licensed place in any area where resulting contaminants will or may be released to any stormwater drain, land or waters

(C3) Any acid sulphate soils or potential acid sulphate soils existing at the licensed place must be maintained in a submerged state. Any leachate from acid sulphate soils or potential acid sulphate soils existing at the licensed place must be treated prior to being released

END OF CONDITIONS FOR SCHEDULE C

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SCHEDULE D- LAND APPLICATION

Release of Contaminants to Land

(D1) Pond sediments if disposed of to land at the licensed premises shall be disposed of in such a manner that contaminated rainfall and runoff carrying such sediments is prevented from entering any natural waters.

(D2) The release of pond sediments to land must only occur in pond sediment conditioning areas identified in the application for environmental authority.

END OF CONDITIONS FOR SCHEDULE D

SCHEDULE E - NOISE

Emission of Noise

(E1) 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 Table 1 of the Noise Schedule until the circumstances which gave rise to the complaint are resolved.

(E2) The value of background level to be used in conjunction with the noise criteria in Table 1 above is to be obtained from Table 2 of the Noise Schedule below using the following methodology.

(i) If the measured background level is above the upper limit of the appropriate range, the upper limit of the appropriate range must be used.

(ii) If the measured background level is below the lower limit of the appropriate range, the lower limit of the appropriate range must be used.

(iii) If the measured background level is within the appropriate range, then the measured value must be used.

SCHEDULE E TABLE 1

Noise Level at a Noise Sensitive Place Measured 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
Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level L (Amax adj, T)	Period
Background noise level plus 10 dB(A)	7 am - 6 pm
Background noise level plus 10 dB(A)	6 pm - 10 pm
Background noise level plus 8 dB(A)	10 pm - 7 am

SCHEDULE E TABLE 2

Range of Values of Background to be Used in Conjunction with Noise Criteria in Table 1

Time Period	**Range of Background Levels dB(A)**
Monday to Saturday 7 am - 6 pm	45-50
Monday to Saturday 6 pm - 10 pm	40-45
Monday to Saturday 10 pm - 7 am	35-40
All other times and public holidays	30-35

END OF CONDITIONS FOR SCHEDULE E

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SCHEDULE F - WASTE MANAGEMENT

General

(F1) 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.

END OF CONDITIONS FOR SCHEDULE F

SCHEDULE G - MONITORING AND REPORTING

Complaint Recording

(G1) 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 in a log book with the following details:

(i) time, date and nature of complaint;
(ii) type of communication (telephone, letter, personal etc.);
(iii) 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);
(iv) response and investigation undertaken as a result of the complaint;
(v) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

Monitoring of Contaminant Releases to Waters

(G2) The holder of this environmental authority is responsible for the making of determinations and keeping of records of the quality of the contaminants released for the release points, quality characteristics, and at the frequency specified in Schedule G Tables 1 and 2:

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Schedule G - Table 1

QUALITY CHARACTERISTIC DETERMINATION	MEASUREMENT POINT	FREQUENCY
Suspended Solids	W1	once per month in each month that a discharge occurs
pH.	W1	on each day that a discharge occurs
Dissolved Oxygen.	W1	on each day that a discharge occurs
Total Nitrogen as N	W1	once per month in each month that a discharge occurs
Chlorophyll *a*	W1	once per month in each month that a discharge occurs
Total Phosphorus as P	W1	once per month in each month that a discharge occurs

Schedule G - Table 2

Quality Characteristic Determination	Measurement Point	Frequency
Suspended Solids	W1	during the first, last and median hour of the draining during harvest for three harvests per year
Turbidity	W1	during each hour of the draining during harvest for the same harvests as for suspended solids

(G3) Samples for determination of quality of contaminants released must be taken, at least, in duplicate and the duplicate sample must be analysed if:

a) The primary sample is destroyed or otherwise rendered unsuitable for analysis before an accurate analytical result is obtained; or

b) The analysis of the primary sample is not considered to be accurate.

Sampling and Monitoring Point Details

(G4) Determinations of the quality of contaminants released to waters to check conformity with the release quality characteristics specified in the Water Schedule of this environmental authority must be undertaken at the sampling and in situ monitoring point(s) described as:

Release Point W1 - Release Point W1 - Waste water discharge from the lisensed premises to waters described as Castrades Inlet, at a location described as adjacent to the premises.

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(G5) 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 Water Quality Sampling Manual, 2nd Edition, February 1995, or more recent additions or supplements to that document as such become available.

(G6) 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.

Monitoring Of Volume of Release

(G7) The daily quantity of contaminants released must be determined by a method which is accurate to within 10% of the actual amount released.

(G8) Records must be kept of the results of all determinations of the daily quantity of contaminants released to waters.

Monitoring of Contaminant Releases to Waters

(G9) Monitoring the quality of contaminants released to waters must include but not be limited to samples taken at a time when maximum flow rate is occurring from the outlet.

Report Submission

(G10) 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.

Monitoring of Contaminant Releases to Waters

(G11) Monitoring the quality of contaminants released to waters must include but not be limited to samples taken at a time when maximum flow rate is occurring from the outlet.

Impact Monitoring

(G12) The holder of this environmental authority must:

(a) develop and undertake an Environmental Impact Monitoring Program, in relevant creeks which flow into the Pacific Ocean, adjacent to and downstream from the licensed premises, to determine:

i) presence of water quality disturbances; and

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ii) any changes to representative natural biological communities, with an 80% certainty of detecting any such changes should any be present. and

(b) on or before **1st August 1997** lodge a detailed description of Environmental Impact Monitoring Program with the administering authority for its review and comment; and

(c) have due regard to that comment in the finalisation of the Environmental Impact Monitoring Program; and

(d) on or before **1st October 1997** have commenced the Environmental Impact Monitoring Program

(G13) A copy of the Environmental Impact Monitoring Program must be kept at the licensed place where practical.

(G14) Participation in an Environmental Assessment Study undertaken by the Australian Prawn Farmers Association, which has been approved by the Department of Environment, is deemed to fulfil the requirements of condition number G12.

END OF CONDITIONS FOR SCHEDULE G

SCHEDULE H - DEFINITIONS

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

(H1) "Total Nitrogen" means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen

(H2) "mg/l" means milligrams per litre.

Water Definitions

(H3) "composite" in respect of sampling means either time based taken at hourly intervals to cover the period in the 24 hours of the sampling day during which a contaminant release occurs; or taken after set flow volumes to cover the period of the sampling day during which the contaminant release occurs

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(H4) "80th percentile" means that the measured values of the quality characteristic must not be greater than the release limit for any more than one out of five consecutive samples where the time interval between the taking of each consecutive sample is not less than three days.

(H5) "maximum" means that the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

(H6) "minimum" means that the measured value of the quality characteristic or contaminant must not be less than the release limit stated.

(H7) "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.

Noise Definitions

(H8) "$L_{Amax\ adj,T}$" 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.

(H9) "Background noise level" means either:

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

$L_{Abg,T}$ 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.

(H10) "$MaxL_{pA,T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than 15 minutes, using Fast response.

(H11) "noise sensitive place" means -

(a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or
(b) a motel, hotel or hostel; or
(c) a kindergarten, school, university or other educational institution; or
(d) a medical centre or hospital; or
(e) a protected area; or
(f) a public park or gardens.

(H12) "commercial place" means a place used as an office or for business or commercial purposes.

END OF CONDITIONS FOR SCHEDULE H

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