Permit

Environmental Protection Act 1994

Environmental authority EPPR00371513

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

Environmental authority number: EPPR00371513

Environmental authority takes effect on 03 October 2019

Environmental authority holder(s)

Name(s)	Registered address
TASMANIAN LOBSTER HATCHERY PTY LTD	Level 3 100 Melvile St HOBART TAS 7000

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 16 - Extraction and Screening, 1: Dredging, in a year, the following quantity of material, (a) 1000t to 10,000t	Lot 59/WG312
Prescribed ERA, ERA 01 - Aquaculture, 1: Cultivating or holding crustaceans in enclosures that are on land and have a total area of, (b) more than 10ha but not more than 100ha	Lot 59/WG312
Prescribed ERA, ERA 27 - Seafood processing, Seafood processing (the relevant activity) consists of processing, in a year, 500t or more of seafood or seafood products	Lot 59/WG312

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).

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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-on 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.

Dorota Rosiak
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 03 October 2019

Enquiries:
Coastal and Marine Assessment
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)

Environmental authority

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.

Environmental Authority

This permit is not an Environmental Authority under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the Environmental Authority. If a copy of this environmental authority is attached to an Environmental Authority, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

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Conditions of environmental authority

Part 1 - Aquaculture

Environmentally relevant activity	Location/s
ERA 1 Aquaculture Threshold 1(b) - cultivating or holding crustaceans in enclosures that are on land and have a total area of more than 10ha to 100ha	Saltwater Creek, Bruce Highway, YABULU QLD 4818

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

Agency interest: General	
Condition number	**Condition**
1-A1	In carrying out the environmentally relevant activity/activities, take all reasonable and practical measures to minimise releases and the likelihood of releases of contaminants to the environment, except as otherwise provided by the conditions of this Environmental Authority.
1-A2	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.
1-A3	This Environmental Authority is issued on the condition that, should the Minister approve a Code of Practice dealing with aquaculture (prawn farming), the stated ways in the Code of Practice will be adopted and followed to achieve compliance with the general environmental duty.
1-A4	**Display of Environmental Authority** A copy of the conditions of this Environmental Authority must be kept in a location readily accessible to personnel carrying out the activity.
1-A5	**Records** Any record or document required to be kept by a condition of this Environmental Authority must be kept at the **authorised place** for a period of at least five years and be available for examination by an authorised person. 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.
1-A6	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** on request.
1-A7	**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 Environmental Authority.
1-A8	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.
1-A9	**Nuisance** Notwithstanding any other condition of this Environmental Authority, this Environmental Authority does not authorise any release of contaminants which causes or is likely to cause an environmental nuisance beyond the boundaries of the **authorised place**.
1-A10	**Number and Area of Ponds** This Environmental Authority applies to the operation of not more than 18 aquaculture ponds having a combined total area of not greater than 18.3 hectares.
1-A11	**Competency** 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 aquaculture facility.
Agency interest: Water	
Condition number	**Condition**
1-B1	**Release of Contaminants to Waters** Contaminants must not be directly or indirectly released from the authorised place to any waters or the bed and banks of any waters except as permitted under the water Condition or the stormwater management conditions, or to as sewer as permitted or otherwise agreed from time to time by the relevant Local Government.
1-B2	The only contaminants permitted to be released from the **authorised place** at the release point W1 are aquaculture wastes from the aquaculture ponds. The only contaminants permitted to be released from the **authorised place** at the release point W2 are aquaculture wastes from the aquaculture ponds.
1-B3	**Release Points** Contaminants must not be directly or indirectly released from any source on the **authorised place** to any waters at any location other than the contaminants and sources at the locations listed below: **Release point W1: Aquaculture wastes from the discharge structure adjacent to Pond A3 to an unnamed tributary of Saltwater Creek (S 19° 05' 21", E 146° 28' 35").** **Release point W2: Aquaculture wastes from the discharge structure adjacent to Pond P2 to an unnamed tributary of Saltwater Creek (S 19° 05' 20", E 146° 28' 27").**

<table>
<tr><td>1-B4</td><td>Notwithstanding any other condition of this Environmental Authority, the wastes must be directed from the discharge structure in a manner which does not erode or otherwise disturb mangrove vegetation, the stream bed, the stream banks or the habitat in general.</td></tr>
<tr><td>1-B5</td><td>Quantity of Contaminants Released
The total quantity of contaminants released from release point W1 during any day must not exceed 24,000 cubic metres. The total quantity of wastes discharged during one calendar year shall not exceed 3,285,000 cubic metres, being an average of 9000 cubic metres per day. The total quantity of contaminants released from release point W2 during any day must not exceed 19,725 cubic metres. The total quantity of wastes discharged during one calendar year shall not exceed 1,724,625 cubic metres, being an average of 4,725 cubic metres per day.</td></tr>
<tr><td>1-B6</td><td>Should less than the full number of ponds be in operation at one time, the quantity of wastes discharged during any day, the total quantity of wastes discharged during one calendar year and the average flow per day must be limited to a proportion of the above volumes, based on the number of ponds in operation in relation to the full development of 18.3 hectares of ponds.</td></tr>
<tr><td>1-B6</td><td>Quality of Characteristics of Release to Waters
The release of contaminants to waters must comply, at the sampling and in-situ measurement points specified in Part 1–Table 2 and Table 3 with each of the limits specified in Part 1 - Table 1 for each quality characteristic.

Part 1-Table 1
Release Quality Characteristics Limits

<table>
<tr><th>Quality Characteristics</th><th>Release Point</th><th>Discharge Limit</th><th>Limit Type</th></tr>
<tr><td>Suspended Solids (mg/L)</td><td>W1, W2</td><td>25/100</td><td>Median/Maximum</td></tr>
<tr><td>pH (pH Units)</td><td>W1, W2</td><td>6.5 - 8.7</td><td>Range</td></tr>
<tr><td>Dissolved Oxygen (mg/L)</td><td>W1, W2</td><td>4.0/5.5</td><td>Minimum/Median</td></tr>
<tr><td>Total Nitrogen (mg/L)</td><td>W1, W2</td><td>1.1/2.5/3.5</td><td>Median/80th Percentile/Maximum</td></tr>
<tr><td>Chlorophyll a (µg/L)</td><td>W1, W2</td><td>20/100</td><td>Median/Maximum</td></tr>
<tr><td>Total Phosphorus as P (mg/L)</td><td>W1, W2</td><td>0.11/0.35/0.45</td><td>Median/80th Percentile/Maximum</td></tr>
</table>
</td></tr>
<tr><td>1-B8</td><td>For all parameters in Part 1-Table 1, except dissolved oxygen concentration, where a median and/or 80th percentile and/or maximum limit is specified, the set of data describing the release quality characteristics must have a median lower in value than the median limit and/or an 80th percentile lower in value than the 80th percentile limit and/or a maximum lower in value than the maximum limit.</td></tr>
</table>

	For dissolved oxygen concentration, the 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.
1-B9	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.
Agency interest: Storm Water	
Condition number	**Condition**
1-C1	**Spillage Control** All existing chemical tank storages must be within a spillage control compound sufficient to contain at least 100% of the largest storage tank.
1-C2	All chemical tank storages constructed after 1 August 1996 must be within a spillage control compound sufficient to contain at least 100% of the largest storage tank plus 10% of the second largest tank within the compound.
1-C3	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.
1-C4	All chemical package storage and handling areas must be within a spillage control compound sufficient to contain at least 100% of the capacity of the largest package plus 25% of the storage capacity up to 10,000L, together with 10% of the storage capacity beyond 10,000L.
1-C5	Notwithstanding Condition 1-C3, floors forming part of the spillage control compound for the chemical package storage and handling areas must be impervious and not liable to degradation.
1-C6	Washing, degreasing, servicing or other maintenance of vehicles, plant, or other equipment must not occur on the **authorised place** in any area where resulting contaminants will or may be released to any stormwater drain, land or waters.
1-C7	**Pond Sludge Conditioning Areas** Runoff from pond sludge conditioning areas must be directed in such a manner as to be retained within the catchment of the discharge channel or in such other manner as to ensure that runoff does not directly enter waterways.
Agency interest: Land	
Condition number	**Condition**
1-D1	**Release of Contaminants to Land** The release of pond sludge to land must only occur in pond sludge conditioning areas identified in the application for Environmental Authority or identified in an approved document listed in Agency interest: Approved Documents of this Environmental Authority.
Agency interest: Waste	

Environmental authority

Condition number	Condition
1-E1	**General** Do not: (i) burn waste at or on the **authorised place**; nor (ii) allow waste to burn or be burned at or on the **authorised place**; nor (iii) remove waste from the **authorised place** and burn such waste elsewhere.
Agency interest: Self-Monitoring and Reporting	
Condition	
1-F1	**Complaint Recording** All complaints received relating to releases of contaminants from operations at the **authorised 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 response and investigation undertaken as a result of the complaint, does not wish to be identified then "Not identified" is to be recorded); iv. name of person responsible for investigating complaint; and v. action taken as a result of the complaint investigation and signature of responsible person.
1-F2	**Incident Reporting** A record must be maintained of events including but not limited to: i. the time date and duration of equipment malfunctions where failure of such equipment may result in environmental contamination; ii. any shut-downs of treatment systems iii. any disease outbreak in ponds.
1-F3	**Notification of Emergencies and Incidents** 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, notify the **administering authority** of the release by telephone, facsimile or submission of a program notice in accordance with Section 350 of the *Environmental Protection Act 1994.*
1-F4	The notification of emergencies or incidents as required by condition number 1-F3 must include but not be limited to the following: i. the **registered operator** of the activity; ii. the location of the emergency or incident; iii. the number of the Environmental Authority; iv. the name and telephone number of the designated contact person; v. the time of the release; vi. the time the release became apparent; vii. the suspected cause of the release;

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	viii. the environmental harm and or environmental nuisance caused, threatened, or suspected to be caused by the release; and ix. actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release; unless a program notice in accordance with Section 350 of the *Environmental Protection Act 1994* is submitted.
1-F5	Not more than 3 months following the initial notification of an emergency or incident, provide written advice of the information supplied in accordance with condition number 1-F4 in addition to: (i) proposed actions to prevent a recurrence of the emergency or incident, (ii) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance, and (iii) the results of any environmental monitoring performed.
1-F6	A draft environmental management program dealing with the activity submitted to the **administering authority** for approval, fulfils the requirements of condition number (1-F5) (i).
1-F7	**Monitoring of Contaminant Releases to Waters** 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
1-F8	Make determinations and keeping of records of the quality of the contaminants released for the release points, quality characteristics, and at the frequency specified in Part 1-Table 2.
1-F9	**Sampling and Monitoring Point Details** Determinations of the quality of contaminants released to waters to check conformity with the release quality characteristics specified in the Water Conditions of this Environmental Authority must be undertaken at the sampling and measurement point(s) described as: W1 - Samples are to be taken and in-situ measurements made at the discharge structure adjacent to Pond A3 to an unnamed tributary of Saltwater Creek (S 19° 05' 21", E 146° 28' 35") W2 - Samples are to be taken and in-situ measurements made at the discharge structure adjacent to Pond P2 to an unnamed tributary of Saltwater Creek (S 19° 05' 20", E 146° 28' 27") **Part 1- Table 2**

Quality Characteristic Determination	Release Point	Frequency
Suspended Solids (by NATA accredited laboratory method)	W1, W2	once per month in each month that a discharge occurs and once per day on each day an indicative field measurement indicates that the maximum licence limit is exceeded
pH	W1, W2	on each day that a discharge occurs
Dissolved Oxygen	W1, W2	on each day that a discharge occurs
Temperature - Celsius degrees	W1, W2	on each day that a discharge occurs
Total Nitrogen as N	W1, W2	once per month in each month that a discharge occurs
Chlorophyll a	W1, W2	once per month in each month that a discharge occurs
Total Phosphorus as P	W1, W2	once per month in each month that a discharge occurs
Turbidity or Suspended Solids (by indicative field measurement)	W1, W2	on each day that a discharge occurs

1-F10

Harvest Monitoring

Determine the quality of the contaminants released from the Release Points during harvest by determining those quality characteristics specified in Part 1- Table 3, at the Release Points specified in that table and at the frequency specified in that table.

Part 1 – Table 3

Quality Characteristic Determination	Release Points	Frequency
Suspended Solids (by NATA accredited laboratory method)	W1, W2	*during the first, last and median hour of the draining during harvest for three harvests per year*
Turbidity or Suspended Solids (by indicative field measurement)	W1, W2	*during each hour of the draining during harvest for three harvests per year*

1-F11

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.

1-F12	All determinations of the quality of contaminants released to waters must be made in accordance with methods prescribed in the **administering authority's** Water Quality Sampling Manual, 2nd Edition, February 1995, or more recent additions or supplements to that document as such become available.
1-F13	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.
1-F14	**Monitoring of Volume of Release** The daily quantity of contaminants released must be determined by a method which is accurate to within 10% of the actual amount released.
1-F15	Records must be kept of the results of all determinations of the daily quantity of contaminants released to waters.
1-F16	**Impact Monitoring** Environmental Impact Monitoring, in accordance with the Approved Document "Environmental Impact Monitoring Program for Aquaculture Industries (Queensland) Pty Ltd" dated 22 October, 1996, must be undertaken, in relevant creeks to determine: (a) presence of water quality disturbances; and/or (b) any changes to representative natural biological communities.
1-F17	**Report Submission** 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.
1-F18	**Exception Reporting** Notify the **administering authority** in writing of any monitoring result which indicates an exceedance of any license limit within 28 days of completion of analysis.
1-F19	The written notification required by condition number 1-F18 above must include: (i) The full analysis results, and (ii) Details of investigation or corrective actions taken, and (iii) Any subsequent analysis.
1-F20	Submission of a program notice in accordance with Section 350 of the Environmental Protection Act fulfils the requirements of condition number 1-F18 and 1-F19.
Agency interest: Approved Documents	
Condition number	**Condition**
1-G1	The environmentally relevant activity must be constructed, operated and maintained in accordance with all undertakings of the Environmental Authority application, documents supporting the application and any other documents approved by the **administering authority** as set out in the Approved Documents Conditions.
1-G2	In the event of any inconsistency arising between the undertakings of the Environmental Authority application or other approved documents as set out in the Approved Documents Schedule and the conditions of this Environmental Authority, the conditions of this Environmental Authority must apply.

1-G3	For the purposes of this Environmental Authority the following stated documents are approved documents: *Environmental Impact Monitoring Program for* Aquaculture Industries (Queensland) Pty Ltd *dated 22 October, 1996.*

Part 1 Definitions

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.

For the purposes of this Environmental Authority the following definitions apply:

"**Act**" means the *Environmental Protection Act 1994*.

"**Administering Authority**" means the Department of Environment and Science or its successor.

"**Land**" means land excluding waters and the atmosphere.

"**Total Nitrogen**" means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen.

"**mg/L**" means milligrams per litre.

"**1.1g/L**" means micrograms per litre.

"**80th percentile**" means the value from a set of data covering a 12 month period where at least eight tenths (8/10) of the data are smaller.

"**Median**" means the middle value for a data set covering a 12 month period, where half the data are smaller, and half the data are larger. If the number of samples is even, the median is the arithmetic average of the two middle values.

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

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

"**Range**" means that the measured valued of the quality characteristic or contaminant must not be higher than the higher release limit stated nor lower than the lower release limit stated.

"**Compound**" means an area bounded by natural ground contours or by a bund, sufficiently impervious to retain spillage or leakage pending recovery.

"**Bund**" means an embankment or wall which may form part or all of the perimeter of a compound.

"**Registered operator**" means the holder of a registration certificate, for the environmentally relevant activity 1(d), issued under section 73F of the *Environmental Protection Act 1994*, and in force.

Environmental authority

Part 2 - Extraction

Environmentally relevant activity	Location/s
ERA 16 Extractive and screening activities - (1)(a) dredging a total of 1,000t or more of material from the bed of naturally occurring surface waters, in a year;	Adjacent to Lot 59 on Plan WG312 at the mouth of Saltwater Creek

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

Agency interest: General	
Condition number	**Condition**
2-A1	**Prevent and/or minimise likelihood of environmental harm** In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and/or to 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 approval. NOTE: This approval authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this approval explicitly authorises that harm. Where there is no condition or the approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.
2-A2	**Site based management plan** 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. The site based management plan must address the following matters: - Environmental commitments - a commitment by senior management to achieve environmental goals. - Identification of environmental issues and potential impacts. - Control measures for routine operations to minimise likelihood of environmental harm. - Contingency plans and emergency procedures for non-routine situations.

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	- Organisational structure and responsibility. - Effective communication. - Monitoring of the contaminant releases. - Conducting environmental impact assessments. - Staff training. - Record keeping. - Periodic review of environmental performance and continual improvement.
2-A3	**Records** Record, compile and keep all monitoring results required by this document and present this information to the **administering authority** when requested, in a specified format.
2-A4	**Dredging** The only areas permitted to be dredged under this approval are those shown on the site plan in Part 2 Maps/Plans and must be consistent with the specification of the Section 86 approval No. 11.9.164 (Harbours Act 1955-1987) granted 15 December 1988.
2-A5	The placement of dredged spoil may only occur to those areas described in the Section 6 Dredging Spoils Disposal in the Notification Report- Dredging Works at Saltwater Creek July 2004.
2-A6	Dredging to take place only at low tides when the area being dredged is not inundated with water
2-A7	**Acid Sulphate Soils** You must comply with the latest edition of the Queensland Environmental Protection Agency's INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULFATE SOILS, 2001, produced by the Queensland Environmental Protection Agency in consultation with the Department of Natural Resources, Mines and Energy and the Department of Agriculture and Fisheries.
2-A8	Acid sulfate soils must be managed such that contaminants are not directly or indirectly released, as a result of the activity, to any waters or the bed and banks of any waters.
Agency interest: Air	
Condition number	**Condition**
2-B1	**Nuisance** The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any **odour sensitive place**.
2-B2	**Dust Nuisance** The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any **dust sensitive place**.
Agency interest: Water	
Condition number	**Condition**

2-C1	**Sediment Controls** Sediment control measures must be implemented and maintained to minimise the release of sediment.
2-C2	**Release to waters** Contaminants must not be released from the site to any waters or the bed and banks of any waters.
2-C3	**Stormwater Management** There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.
Agency interest: Noise and Vibration	
Condition number	**Condition**
2-D1	**Noise Nuisance** Noise from activities must not cause an environmental nuisance at any noise affected premises.
2-D2	**Vibration nuisance** Vibration emitted from activities must not cause a nuisance at any vibration sensitive place.
Agency interest: Land	
Condition number	**Condition**
2-E1	**Channel Dredging** Works to be conducted in accordance with Section 3.6 Land/Conservation Management Plan of the Environmental Management Plan (Dredging Works) for Saltwater Creek July 2004.
Agency interest: Community	
Condition number	**Condition**
2-F1	**Complaint Response** 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.
2-F2	In consultation with the **administering authority**, cooperate with and participate in any community.

Part 2 Definitions

Words and phrases used throughout this licence or Environmental Authority are defined below:
Where a definition for a term used in this approval is sought and the term is not defined within this approval the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

"**administering authority**" means the Department of Environment and Science or its successor.

"**you**" means the holder of this Environmental Authority or owner/occupier of the land which is the subject of this Environmental Authority.

"**site**" means the place to which this environmental authority relates or the premises to which this Environmental Authority relates.

"**authorised place**" means the place authorised under this environmental authority for the carrying out of the specified environmentally relevant activities.

"**this authority**" means this environmental authority.

"**authority**" means level 1 licence (without Environmental Authority), or level 1 approval (without Environmental Authority), or level 2 approval (without Environmental Authority) under the Environmental Protection Act 1994.

"**approval**" means 'notice of development application decision' or 'notice of concurrence agency response' under the Integrated Planning Act 1997

"**dust sensitive place**" means -

- a dwelling, mobile home or caravan park, residential marina or other residential place;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area;
- a park or gardens; or
- a place used as an office or for business or commercial purposes.
- and includes the curtilage of any such place.

"**odour sensitive place**" has the same meaning as a "dust sensitive place"

"**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.

"**nuisance sensitive place**" includes -

- a dwelling, residential allotment, 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 under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
- a public thoroughfare, park or gardens; or
- 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.

"**noise affected premises**" means a "noise sensitive place" or a "commercial place"

"**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.

"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.

"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,

"dredge spoil" means material taken from the bed or banks of waters by using dredging equipment or other equipment designed for use in extraction of earthen material.

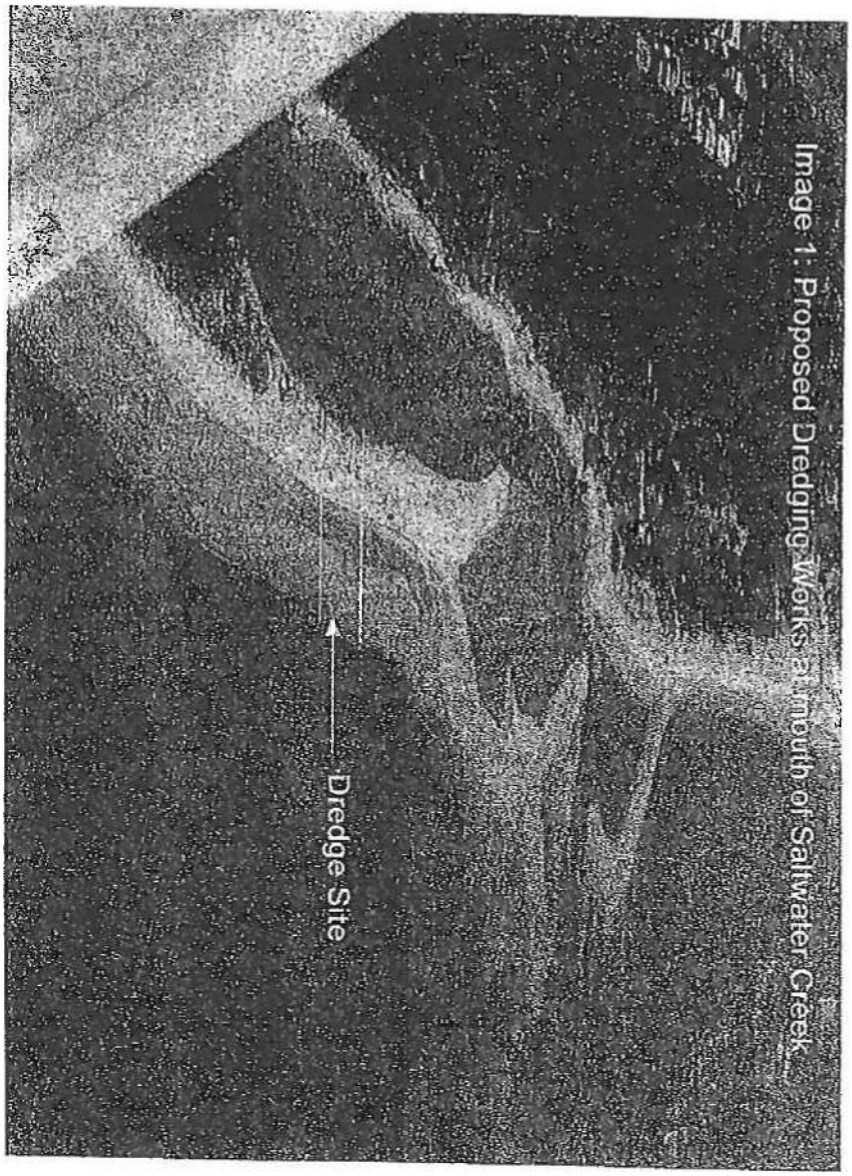
"land" in Agency interest: Land of Part 2 of this document means land excluding waters and the atmosphere.

"vibration sensitive place" means a noise sensitive place or a commercial place.

"annual return" means the return required by the annual notice (under section 316 of the *Environment Protection Act 1994*) for the section 86(2) licence that applies to the Environmental Authority.

Part 2 Maps/Plans

Image 1. Proposed dredging works at the mount of Saltwater Creek



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Part 3 – Seafood processing

Environmentally relevant activity	Location/s
ERA 27 Seafood processing - processing, in a year, 500t or more of seafood or seafood products	Saltwater Creek, Bruce Highway, YABULU QLD 4818

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

Agency interest: General	
Condition number	**Condition**
3-G1	**Prevent and/or minimise likelihood of environmental harm.** In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and/or to minimise the likelihood of environmental harm being caused.
3-G2	**Maintenance Of Measures, Plant and Equipment.** The operator of an ERA to which this approval relates must: (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and (b) maintain such measures, plant and equipment in a proper and efficient condition; and (c) operate such measures, plant and equipment in a proper and efficient manner.
3-G3	**Records** Record, compile and keep all monitoring results required by this approval and present this information to the **administering authority** when requested.
3-G4	All records required by this approval must be kept for 5 years.
3-G5	**Notification** Telephone the **administering authority's** Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
Agency interest: Air	
Condition number	**Condition**
3-A1	**Nuisance** The release of noxious or **offensive** odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any **nuisance sensitive** or commercial place.
Agency interest: Land	

Environmental authority

Condition number	Condition
3-L1	**Preventing Contaminant Release To Land.** Contaminants must not be released to **land**.
3-L2	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm. NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.
Agency interest: Social	
Condition number	**Condition**
3-S1	**Complaint Response** The operator of the ERA must record the following details for all complaints received and provide this information to the **administering authority** on request: (a) Time, date, name and contact details of the complainant; (b) reasons for the complaint; (c) any investigations undertaken; (d) conclusions formed; and (e) any actions taken
Agency interest: Water	
Condition number	**Condition**
3-W1	**Release to Waters** Contaminants including seafood processing waste waters must not be released directly to any waters or the bed and banks of any **waters**. All waste waters must be directed through a grease trap prior to being discharged into the onsite aquaculture wastewater treatment ponds.

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Definitions

Words and phrases used throughout this permit' are defined below. Where a definition for a term used in this permit' is sought and the term is not defined within this permit' the definitions provided in the relevant legislation shall be used.

"**administering authority**" means the Department of Environment and Science or its successor.

"**approval**" means 'notice of development application decision' or 'notice of concurrence agency response' under the Planning Act 2016.

"**land**" in the "land schedule" of this document means land excluding waters and the atmosphere.

"**nuisance sensitive place**" includes —

- a dwelling, residential allotment, 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 under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
- a public thoroughfare, park or gardens; or
- 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.

"**offensive**" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

"**watercourse**" means a river, creek or stream in which water flows permanently or intermittently-

- in a natural channel, whether artificially improved or not; or
- in an artificial channel that has changed the course of the watercourse.

"**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.

"**works**" or "**operation**" means the development approved under this Environmental Authority.

"**you**" means the holder of this Environmental Authority or owner / occupier of the land which is the subject of this Environmental Authority.

END OF PERMIT

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