



Department of
**Environment and
Heritage Protection**

29-JAN-2015

To: Mr Chris Kwik
48 Cahill Street
BEVERLY HILLS NSW 2209

Email: kwiksguy@hotmail.com

Attention: Mr Chris Kwik

Our reference: 223439

Application details

I refer to the application that was received by the administering authority on 28-JAN-2015.

Land description: Bruce Highway Damper Creek Cardwell Lot 4 Plan CWL3629, Lot 5 & 6 Plan SP131219.

Decision

Your application has been approved and your environmental authority (reference EPPR00373313) is attached.

Should you have any further enquiries, please contact Veronica Lightfoot on telephone 1300 130 372 (option 4).

Yours sincerely

A rectangular box containing a handwritten signature in black ink that reads "Jodie Brackenbury".

Signature

A rectangular box containing the date "29/01/2015" printed in a standard black font.

Date

Jodie Brackenbury
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Veronica Lightfoot
Permit and Licence Management
Department of Environment and
Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: (07) 3330 5875
Email: palm@ehp.qld.gov.au
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ABN 46 640 294 485

Enclosed

Permit - environmental authority (reference EPPR00373313)

Environmental authority

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

Permit¹ number: EPPR00373313

Environmental authority takes effect on 29-JAN-2015.

The anniversary date of this environmental authority remains 5th March. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder

Name	Registered address
Mr Chris Kwik	48 Cahill Street BEVERLY HILLS NSW 2209

Environmentally relevant activity and location details

Environmentally relevant activity	Location(s)
1-(2b) Aquaculture >10ha but <100ha land	Bruce Highway Damper Creek Cardwell - Lot 4 Plan CWL3629 and Lot 5 & 6 Plan SP131219

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority 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 if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being,

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.



Signature

29/01/2015

Date

Jodie Brackenbury
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Veronica Lightfoot
Permit and Licence Management
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Protection
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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

Schedule of conditions

This environmental authority is granted conditional upon the above listed activities being carried out in accordance with the conditions of this environmental authority, as set out in the Schedules attached to this environmental authority and that, should the Minister approve a Code of Practice dealing with aquaculture (prawn farming), the holder of this environmental authority will adopt and follow the stated ways in the Code of Practice to achieve compliance with the general environmental duty.

This authority incorporates the following schedules of conditions relevant to various issues:

- Schedule A - General conditions
- Schedule B - Water
- Schedule C - Stormwater Management
- Schedule D - Land Application
- Schedule E - Waste Management
- Schedule F - Self Monitoring and Reporting
- Schedule G - Approved Documents
- Schedule H - Definitions

Schedule A – General Conditions

Compliance with environmental authority

(A1) In carrying out the environmentally relevant activity/activities, the holder of this environmental authority must 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.

(A2) The holder of this environmental authority 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.

Display of environmental authority

- (A3) A copy of the conditions of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

- (A4) 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. 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.
- (A5) 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.

Alterations

- (A6) 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.

Calibration

- (A7) 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.

Nuisance

- (A8) 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 licensed place.

Number and Area of Ponds

- (A9) This environmental authority applies to the operation of not more than 25 aquaculture ponds having a combined total area of not greater than 15.07 hectares.

Competency

- (A10) The licensee shall ensure that the operation and maintenance of the aquaculture facility is carried out by or under the supervision of a person competent to operate and maintain the aquaculture facility.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Water

Release of Contaminants to Waters

- (B1) Contaminants must not be directly or indirectly released from the licensed place to any waters or the bed and banks of any waters except as permitted under the water schedule or the stormwater management schedule, or to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.
- (B2) The only contaminants permitted to be released from the licensed place at the release point W1 are aquaculture wastes from the aquaculture ponds.

Release Points

- (B3) Contaminants 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: Aquaculture wastes from the discharge structure of the treatment pond to Damper Creek.

- (B4) 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.

Quality of Contaminants Released

- (B5) The total quantity of contaminants released from release point W1 during any day must not exceed 23 303 cubic metres. The total quantity of wastes discharged during one calendar year shall not exceed 4 125 415 cubic meters, being an average of 11 303 cubic meters per day.
- (B6) Should a staged development of the project be undertaken or 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 15.07 hectares of ponds.

Quality Characteristics of Release to Waters

- (B7) The release of contaminants to waters must comply, at the sampling and in-situ measurement point/s specified in Schedule H, with each of the limits specified in Schedule B Table 1 for each quality characteristic.

SCHEDULE B TABLE 1 – RELEASE QUALITY CHARACTERISTIC LIMITS

Quality Characteristics	Release Point	Discharge Limit	Limit Type
Suspended Solids (mg/L)	W1	25/100	Median/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	1.1/2.5/3.5	Median/80 th Percentile/Maximum
Chlorophyll a (µg/L)	W1	200/100	Median/Maximum
Total Phosphorus as P (mg/L)	W1	0.11/0.35/0.45	Median/80 th Percentile/Maximum

- (B8) For all parameters in 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.

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.

- (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.

END OF CONDITIONS FOR SCHEDULE B

Schedule C – Stormwater Management

Spillage Control

- (C1) All existing chemical tank storages must be within a spillage control compound sufficient to contain at least 100% of the largest storage tank.
- (C2) All chemical tank storages constructed after 20 December 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.
- (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.
- (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 10 000 L, together with 10% of the storage capacity beyond 10 000 L.
- (C5) Notwithstanding Condition 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.
- (C6) Washing, degreasing, servicing or other maintenance of vehicles, plant, or 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.

Pond Sludge Conditioning Areas

- (C7) 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 natural waterways.

END OF CONDITIONS FOR SCHEDULE C

Schedule D – Land Application

Release of Contaminants to Land

- (D1) 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 Schedule G of this environmental authority.

END OF CONDITIONS FOR SCHEDULE D

Schedule E – Waste Management

General

- (E1) The holder of this environmental authority must not:
 - (i) burn waste at or on the licensed place; nor
 - (ii) allow waste to burn or be burned at or on the licensed place; nor
 - (iii) remove waste from the licensed place and burn such waste elsewhere.

END OF CONDITIONS FOR SCHEDULE E

Schedule F – Self Monitoring and Reporting

Complaint Recording

- (F1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the licensed place must be recorded and kept 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.

Incident Recording

- (F2) 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

Notification of Emergencies and Incidents

- (F3) As soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the Administering Authority of the release by telephone, facsimile or submission of a program notice in accordance with Section 101 of the Act.
- (F4) The notification of emergencies or incidents as required by condition number F3 must include by not be limited to the following:
- (i) the holder of the environmental authority;
 - (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 holder of the environmental authority became aware of the release;
 - (vii) the suspected cause of the release;
 - (viii) the environmental harm 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 101 of the Act is submitted.

- (F5) Not more than 3 months following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition number 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,
 - (iii) the results of any environmental monitoring performed.

- (F6) A draft environmental management program dealing with the activity submitted to the Administering Authority for approval, fulfils the requirements of condition number (F5)(i).

Monitoring of Contaminant Releases to Waters

- (F7) Monitoring the quality of contaminants released to waters must include by not be limited to samples taken at a time when maximum flow rate is occurring from the outlet.
- (F8) The holder of this environmental authority is responsible for the making of determinations and keeping records of the quality of the contaminants released for the release points, quality characteristics, and at the frequency specified in Schedule F Table 1.

Sampling and Monitoring Point Details

- (F9) 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 measurement point(s) described as:

W1 - Samples are to be taken and in-situ measurements made at the discharge structure of the treatment pond to Damper Creek

Schedule F – Table 1

Quality Characteristic Determination	Release Point	Frequency
Suspended Solids (by NATA accredited laboratory method)	W1	<i>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</i>
pH	W1	<i>On each day that a discharge occurs</i>
Dissolved Oxygen	W1	<i>On each day that a discharge occurs</i>
Temperature – Celsius degrees	W1	<i>On each day that a discharge occurs</i>
Total Nitrogen as N	W1	<i>Once per month in each month that a discharge occurs</i>
Chlorophyll a	W1	<i>Once per month in each month that a discharge occurs</i>
Total Phosphorus as P	W1	<i>Once per month in each month that a discharge occurs</i>
Turbidity or Suspended Solids (by indicative field measurement)	W1	<i>On each day that a discharge occurs</i>

Harvest Monitoring

- (F10) The holder of this environmental authority is responsible for determining the quality of the contaminants released from the Release Points during harvest by determining those quality characteristics specified in Schedule F Table 2, at the Release Points specified in that table and at the frequency specified in that table.

Schedule F – Table 2

Quality Characteristic Determination	Release Point	Frequency
Suspended Solids (by NATA accredited laboratory method)	W1	<i>During the first, last and median hour of the draining harvest for three harvests per year</i>
Turbidity or Suspended Solids	W1	<i>During each hour of the draining</i>

(by indicative field measurement)	<i>during harvest for three harvests per year</i>
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- (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 accurate.
- (F12) All determinations of the quality of contaminants released to waters must be made in accordance with methods prescribed in the Department of Environment Water Quality Sampling Manual, 2nd Edition, February 1995, or more recent additions or supplements to that document as such become available.
- (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.

Monitoring of Volume of Release

- (F14) The daily quantity of contaminants released must be determined by a method which is accurate to within 10% of the actual amount released.

Note: *It is not considered that intake volume is a useful surrogate/index for discharge volume unless sufficient correlation is shown to exist between actual measurements of discharge volume and intake volumes. To show that this correlation exists, actual measurements (i.e. flow over a concrete monk of known dimensions, V-notch flow meter etc.) should be carried out over a period of time, including days of varying flows and weather conditions, and a comparison made with intake volume. Alternatively, measurements of actual discharge volumes with appropriate equipment and procedures can be used. This should be considered in the design of the discharge structure from the treatment pond.*

- (F15) Records must be kept of the results of all determinations of the daily quantity of contaminants released to waters.

Impact Monitoring

- (F16) Environmental Impact Monitoring, in accordance with the Approved Document "Environmental Impact Monitoring Program for Tycoon International Pty Limited" dated 13 December 1996, must be undertaken, in Damper Creek to determine the presence of water quality disturbances.

Impact Monitoring Alternative

- (F17) Participation in an Environmental Assessment Study (EAS) approved by the Administering Authority is deemed to satisfy condition F16 for the period of participation, provided all financial and other requirements of the study are met.
- (F18) Should the holder of this licence cease to participate in the EAS, as defined in condition F17, the

licensee must notify the Administering Authority within 30 days.

Report Submission

- (F19) 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.

Exception Reporting

- (F20) The holder of this environmental authority must notify the Administering Authority in writing of any monitoring results which indicates an exceedance of any licence limit within 28 days of completion of analysis.

- (F21) The written notification required by condition number F18 must include:

- (i) The full analysis results, and
- (ii) Details of investigation or corrective actions taken, and
- (iii) Any subsequent analysis.

- (F22) Submission of a program notice in accordance with Section 101 of the Act fulfils the requirements of condition number F18 and F19.

END OF CONDITIONS FOR SCHEDULE F

Schedule G – Approved Documents

- (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 Schedule.

- (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.

For the purposes of this environmental authority the following stated documents are approved documents:

Environmental Impact Monitoring Program for Tycoon International Pty Limited dated 13 December 1996.

END OF DEFINITIONS FOR SCHEDULE G

Schedule H - Definitions

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

- (H1) "Act" means Environmental Protection Act 1994.
- (H2) "Administering Authority" means the Department of Environment or its successor.
- (H3) "Land" means land excluding waters and the atmosphere.
- (H4) "Total Nitrogen" means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen.
- (H5) "mg/l" means milligrams per litre.
- (H6) "µg/L" means micrograms per litre.
- (H7) "80th percentile" means the value for a data set covering a 12 month period where at least eight tenths (8/10) of the data are smaller.
- (H8) "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.
- (H9) "maximum" means that the measured valued of the quality characteristic or contaminant must not be greater than the release limit stated.
- (H10) "minimum" means that the measured valued of the quality characteristic or contaminant must not be less than the release limit stated.
- (H11) "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.
- (H12) "compound" means an area bounded by natural ground contours or by a bund, sufficiently impervious to retain spillage or leakage pending recovery.
- (H13) "bund" means an embankment or wall which may form part or all of the perimeter of a compound.

END OF CONDITIONS FOR SCHEDULE H

END OF ENVIRONMENTAL AUTHORITY