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Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00962109

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 5 October 2000.

The anniversary day for the purposes of the Annual Return remains: 20 October.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity listed below at the following place subject to the conditions set out in a development approval (NM0156) attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Bakers Creek Marine Farm Pty Ltd
Lot 4 Mooreland Drive
BAKERS CREEK QLD 4740

Place:-
Lot 13 Plan RP743535
Located at:-
Lot 13 Mooreland Drive, Bakers Creek,MACKAY QLD 4740

Registered Activity/ies: -
ERA 1 Aquaculture Threshold 1(a) - cultivating or holding crustaceans in enclosures that are on land and have a total area of more than 100m2 to 10ha

Delegate
Administering authority
Environmental Protection Act 1994

09-AUG-2010

Schedule A - Development Approval Conditions for Application NM156 - MCC004

GENERAL CONDITIONS

Scope of Development Approval

1) This development approval applies to the operation of seven (7) aquaculture ponds, having a combined total surface area of not greater than 2.18 hectares, used for the purpose of growing fish

Competency of Operator

2) The owner of the land must ensure that any person who they allow or employ to carry out the activities permitted by this development approval:
   a) is competent, or under the supervision of a person who is competent, to carry out the activities
   b) understands the conditions of this development approval

3) An environmental authority issued under the *Environmental Protection Act 1994* is required to operate the environmentally relevant activities which are the subject of this development approval. If the operator of the activity is a person other than the owner, the owner will ensure that the operator holds a current environmental authority issued under the *Environmental Protection Act 1994*.

Records

4) Any record or document required to be kept by a condition of this development approval must be kept for a period of at least five years and be available for examination by an authorised person.

Other Documents

5) The activities permitted by this development approval must be constructed, operated and maintained in accordance with the commitments made in the Project and Environmental Report and the Supplementary Report.

6) Where any inconsistency occurs between the documents and this development approval, the requirements shall apply in the following order of precedence:
   a) this Development Approval
   b) the Supplementary Report (July 2000)
   c) the Project and Environmental Report (September 1999)

AIR EMISSION CONDITIONS

Odour

7) No odour from the operation of the aquaculture facility shall cause nuisance beyond the boundary of land controlled by the owner.

WATER EMISSION CONDITIONS

Release Points

8) Contaminants must not be directly or indirectly released from any source on the licensed place to any waters at any location other than at the locations listed below:

Release Point Number	Description of Discharge Location
W1	Discharge structure releasing aquaculture waste water to unnamed tributary of Bakers Creek (identified as No. 1 outlet on Attachment 1)
W2	Discharge structure releasing aquaculture waste water to unnamed tributary of Bakers Creek (identified as No. 2 outlet on Attachment 1)
W3	Discharge structure releasing aquaculture waste water to unnamed tributary of Bakers Creek (identified as No. 3 outlet on Attachment 1)

Release of Contaminants to Waters

9) The only contaminants which may be released from the licensed place at the release points W1, W2 and W3 are the waste waters from the aquaculture and seafood processing activities permitted by this approval.

10) Notwithstanding any other condition of this development approval, the wastes must be directed from the discharge structure in a manner which does not erode or otherwise disturb mangrove vegetation, the stream banks or the habitat in general.

Settlement Ponds

11) All waste waters released from the aquaculture and seafood processing activities permitted by this approval must be treated in settlement ponds prior to discharge through Release Points W1, W2 and W3.

12) The waste water treatment ponds shall have sufficient internal barriers installed to ensure that short circuiting of the pond is minimised.

13) The bed and banks of the settlement ponds must have a permeability of not more than 1×10^{-8} metres/second.

Environmental Management Program for Waste Water Treatment

14) The holder of this development approval is required to prepare and submit to the Environmental Protection Agency an Environmental Management Program (EMP) to achieve compliance with conditions 11, 12 and 13 of this development approval for the treatment of waste water generated by the aquaculture and seafood

processing activities permitted by this approval. This requirement is made by separate written notice under section 82(2) of the *Environmental Protection Act 1994*.

Quantity of Contaminants Released

15) The total quantity of waste water released from release point W1, W2 and W3:
   a) must not exceed a maximum of 3268 cubic meters during any day; and
   b) must not average more than 1634 cubic meters per day, averaged over the months when fish are being cultivated.

16) Notwithstanding condition 15, should less than the full area of ponds be in operation as part of the growout production cycle:
   a) the volume of waste water discharged during any day; and
   b) the total volume of waste water discharged during any year;

   must be reduced proportionally according to the total area of growout ponds in operation.

Quality Characteristics of Waters Released

17) The waters released at Release Points W1, W2 and W3 must comply with each of the quality characteristic limits specified in Table 1.

TABLE 1 - RELEASE QUALITY CHARACTERISTIC LIMITS

QUALITY CHARACTERISTIC	UNITS	LIMIT	LIMIT TYPE
Suspended Solids	***mg/L***	***20***	***Mean****
		100	***Maximum***
pH	***pH units***	***6.5- 8.7***	***Range***
Dissolved Oxygen - afternoon	***% saturation***	***75***	***Minimum***
Dissolved Oxygen - all other times	***% saturation***	***90% of background concentration***	***Minimum***
Total Nitrogen	***mg/L***	***1.0***	***Mean****
		2.0	***Maximum***
Total Phosphorus as P (mg/L)	***mg/L***	***0.10***	***Mean****
		0.28	***Maximum***

(* limit calculated from 7 consecutive samples taken in accordance with the development approval)

18) 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.

Chemicals Permitted to be Added to Waters

19) The only substances allowed to be used on an aquaculture facility are those authorised by the NRA, prescribed by a veterinarian, or those substances that have

been declared "Exempt from Registration" and their use shall be in accordance with the label's requirements.

20) In addition to the limitations of Condition 19, chemicals may only be added to ponds or waters which drain to the water treatment pond at the locations and concentrations specified in Table 2. Chemicals marked by an asterisk (*) may be substituted with other fertilisers or soil ameliorants which provide the equivalent active component.

TABLE 2 - CHEMICALS PERMITTED TO WATER

Chemical	Addition Location	Use Concentration/ Application Rate
Agricultural lime*	Ponds	1 tonne/hectare
Hydrated lime*	Ponds	50g/m^2
Superphosphate*	Ponds	0.3 mg/L
Urea*	Ponds	1.5 mg/L
Liquid Chlorine	Ponds, processing	100 mg/L

GROUNDWATER PROTECTION CONDITIONS

21) Earth used to construct the below water areas of all new waste water treatment ponds shall be selected to ensure that it has a recompacted permeability not greater than 1 x 10^{-8} metres per second at 95% compaction. The earth shall be placed in layers at least 300mm deep.

22) All below water areas of new waste water treatment ponds shall be prepared from fill which has been selected as described in condition 20 and which has been recompacted to at least 95% of optimum compaction.

STORMWATER EMISSION CONDITIONS

23) All ponds must be constructed, operated and maintained to have minimum of 500mm of freeboard.

24) All bulk chemical and petroleum product storage must be within a spillage control compound sufficient to contain at least 100% of the largest storage container plus 10% of the second largest container within the compound.

25) 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.

26) 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.

Erosion Control

27) The batters of all ponds shall be treated in accordance with the Acid Sulfate Management Plan, Function 1 - Rehabilitation of Bund Walls included in the Supplementary Report (July 2000).

Pond Sediment

28) Pond sediment removed from the aquaculture ponds or waste water treatment ponds must be stored and/or disposed of in a manner which does not cause the release of contaminants into a waterway or stormwater drain.

ACID SULFATE SOILS CONDITIONS

29) The Acid Sulfate Management Plan included in the Supplementary Report (July 2000) must be implemented by the holder of this development approval.

NOISE EMISSION CONDITIONS

Noise Complaints

30) Upon receipt of a complaint regarding the emission of noise the holder of this development approval must, within a reasonable period of time:
   a) take any actions necessary to resolve the complaint including the use of appropriate dispute resolution if required; or
   b) implement noise abatement measures until emissions of noise from the activity does not result in sound pressure levels at the affected noise sensitive place greater than those specified in Table 3.

31) For the purposes of determining compliance with the limits specified in Table 3:
   a) the sound pressure level should not exceed the level specified measured over any 15 minute period that is representative of the noise being investigated;
   b) the measurement location is 4.0 metres (± 0.5 metres) outside the part of the place most affected by the noise under investigation.

32) All determinations of noise emissions as required by Conditions 30 and 31 must be carried out in accordance with the Department of Environment and Heritage's Noise Measurement Manual, second edition, March 1995, or more recent additions or supplements to that document as they become available.

TABLE 3 - OPERATIONAL NOISE LIMITS AT AFFECTED PLACES

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

7am – 6 pm	Background level plus 10 dB(A)
6pm – 7 am	Background level plus 8 dB(A)

WASTE MANAGEMENT CONDITIONS

33) All packaging and general waste produced at that site must be disposed of at a facility which holds a current environmental authority under the *Environmental Protection Act 1994* to receive the waste.

34) Regulated wastes shall only be removed from the licensed place by a person holding a current environmental authority for regulated waste transport which includes the type of regulated waste being transported.

35) Where regulated waste is removed from the site records of the following must be kept:

a) the date, quantity and type of waste removed; and
b) name of the waste transporter and/or disposal operator that removed the waste; and
c) the intended treatment/disposal destination of the waste.

36) A separate waste disposal area must be provided for the disposal of any diseased or potentially diseased organisms which are removed from the ponds.

37) At the end of each day on which organisms are placed in the waste disposal area, the organisms must be covered with not less than 200 mm of earth.

38) Records must be kept of the date placed and quantities of organisms in the waste disposal area.

MONITORING OF CONTAMINANTS RELEASED

39) The quality of the water discharged at Release Points W1, W2 and W3 must be measured at least for the parameters and at the frequencies stated in Table 4.

Table 4 - Minimum Requirements for Monitoring of Discharge Water

QUALITY CHARACTERISTIC DETERMINATION	RELEASE POINTS	FREQUENCY
Suspended Solids	W1, W2, W3	monthly (when a release is occurring)
pH	W1, W2, W3	daily (when a release is occurring)
Dissolved Oxygen	W1, W2, W3	daily (when a release is occurring)
Total Nitrogen	W1, W2, W3	monthly (when a release is occurring)
Chlorophyll a	W1, W2, W3	monthly (when a release is occurring)
Total Phosphorus as P	W1, W2, W3	monthly (when a release is occurring)

Monitoring of Volume of Release

40) The daily quantity of contaminants released must be monitored and records must be kept of the results of all determinations of the daily quantity of contaminants released to waters.

DEFINITIONS

For the purposes of this development approval the following definitions apply:

"administering authority" means the Environmental Protection Agency or its successor.

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

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

"mg/l" means milligrams per litre.

"median" means the middle value, 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 value of the quality characteristic or contaminant must not be greater than the release limit stated.

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

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

"afternoon" means between midday and sunset.

"background concentration" as it applies to Table 1, means the dissolved oxygen concentration measured in Bakers Creek at a point adjacent to the subject land.

"$L_{Amax\ adj,T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

"background noise level" means $L_{Abg,T}$ 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 fifteen (15) minutes, using Fast response.

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

"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.

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

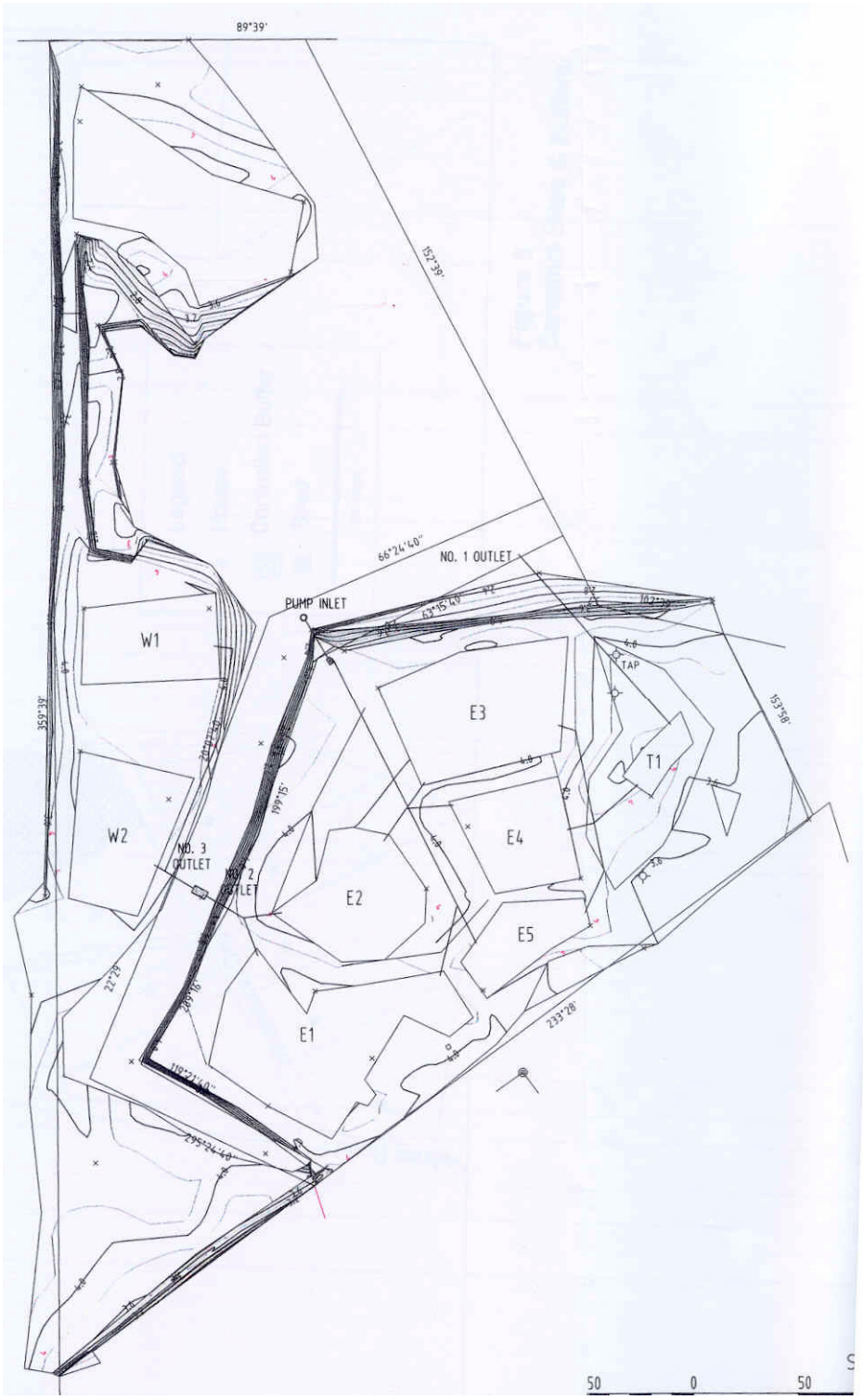


Figure 1. Location of discharge points W1, W2 and W3.