ecoaccess
environmental licences and permits

Notice

Environmental Services

Decision — permit[1] application

This statutory notice is issued by the Department of Environment and Resource Management to advise of a statutory decision on a permit application under environmental and/or conservation legislation.

Mr Allan Bisbal
730 Mourilyan Harbour Road
MOURILYAN QLD 4858

Your reference : ENRE00842808
Our reference : 242301

Re: Decision made in relation to your application under environmental legislation administered by the Department of Environment and Resource Management (DERM).

The Department of Environment and Resource Management has assessed your application for a Continuing Registration Certificate for ERA 1-(1A) AQUACULTURE >100M2 BUT <10HA LAND and wishes to advise you of the decision in regard to the application as specified below:

Application for	Reg Certificate No.	Decision
Registration under Environmental Protection Act 1994	ENRE00842808	Granted

A copy of the development approval attached to this site is attached for your records.

If you require more information, please contact Aurea Jaime-Sanchez, Principal Environmental Officer, on telephone 4722 5221.

Scott Sullivan
Delegate
Department of Environment and Resource Management

Date: 04-APR-2012

Enquiries:
Env Ser – Regional Services - Northern – Tsv
Ph: (07) 4722 5221
Fax: (07) 4722 5351

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions, or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management.

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

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE00842808

This registration certificate is issued by the administering authority and takes effect from: 3-APR-2012.

The anniversary day for the purposes of the Annual Return remains: 16-FEB.

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 FN0040DA attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Mr Allan Bisbal
730 Mourilyan Harbour Road
MOURILYAN QLD 4858

Development Approval Number:-
FN0040DA

Place:-
Lot 86 Plan NR6009

Located at:-
Mourilyan Harbour Road, MOURILYAN QLD 4858

Registered Activity:-
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

Scott Sullivan
Delegate
Department of Environment and Resource Management
Environmental Protection Act 1994

04-APR-2012

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

Queensland Government

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Cairns District Office
PO Box 2066 CAIRNS QLD 4870
Phone: (07) 4046 6602 Fax: (07) 4046 6606
www.env.qld.gov.au ABN: 87221158786

Notice of decision to grant licence (with development approval)

Sections 85 and 86 *Environmental Protection Act 1994*

COPY

This statutory notice is issued by the administering authority pursuant to sections 85 and 86 of the Environmental Protection Act 1994, *to advise you of a decision or action.*

Enquiries to : Ingrid Minnesma
Telephone : (07) 4046 6724
Your reference :
Our reference : CNS1021

FAXED
15 FEB 2002
TRANS No 4531/4533

DESPATCHED
18 FEB 2002
Reg Mail No RH849364C

Lyntune Pty Ltd
Trading as Bluewater Barramundi
Mourilyan Harbour Road
MOURILYAN QLD 4858

Attention: Mr. D. Borgelt,

Re: Application for a licence (with development approval) by Lyntune Pty Ltd to carry out Environmentally Relevant Activity (ERA) 1(b) - Aquaculture at Mourilyan Harbour Road, Mourilyan Qld 4858.

Your application for a licence (with development approval), received by this office on 12 October 2000 has been granted.

A copy of the licence No. FN0514 which includes the schedule of conditions, is attached.

This licence takes effect from 15 February 2002.

You may apply to the administering authority for a review of this decision within 14 days after receiving this notice. You may also appeal against this decision to the Planning and Environment Court.

Information outlining the review and appeal processes under the *Environmental Protection Act 1994* is included with this notice. This information is intended as a guide only You may have other legal rights and obligations.

R. A. Lawrence — Signed

15 February 2002 — Date

Rob Lawrence
District Manager
Cairns District, Northern Region
Delegate of Administering Authority
Environmental Protection Act 1994

Extracts from the Act Regarding Reviews and Appeals

Procedure for review

521.

(1) A dissatisfied person may apply for a review of an original decision.

(2) The application must-
- (a) be made in the approved form to the administering authority within-
  - (i) 14 days after the day on which the person receives notice of the original decision or the administering authority is taken to have made the decision (the "review date"); or
  - (ii) the longer period the authority in special circumstances allows not later than the review date; and
- (b) be supported by enough information to enable the authority to decide the application.

(3) On or before making the application, the applicant must send the following documents to the other persons who were given notice of the original decision-
- (a) notice of the application (the "review notice");
- (b) a copy of the application and supporting documents.

(4) The review notice must inform the recipient that submission on the application may be made to the administering authority within 7 days after the application is made to the authority.

(5) If the administering authority is satisfied the applicant has complied with subsection (2) and (3), the authority must, within 14 days after receiving the application-
- (a) review the original decision;
- (b) consider any submissions properly made by a recipient of the review notice; and
- (c) make a decision (the "review decision") to-
  - (i) confirm or revoke the original decision; or
  - (ii) vary the original decision in a way the administering authority considers appropriate.

(6) The application does not stay the original decision.

(7) The application must not be dealt with by-
- (a) the person who made the original decision; or
- (b) a person in a less senior office than the person who made the original decision.

(8) Within 14 days after making the decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.

(9) The notice must-
- (a) include the reasons for the review decision; and
- (b) inform the person of their right of appeal against the decision.

(10) If the administering authority does not comply with subsections (5) or (8), the authority is taken to have made a decision confirming the original decision.

(11) Subsection (7) applies despite section *Acts Interpretation Act 1954*, section 27A.

(12) This section does not apply to an original decision made by-
- (a) for a matter, the administration and enforcement of which has been devolved to a local government, the local government itself or the chief executive officer of the local government personally; or
- (b) for another matter-the chief executive personally.

Stay of operation of original decisions

522.

(1) If an application is made for review of an original decision, the applicant may immediately apply for a stay of the decision to-
- (a) for an original decision mentioned in schedule 1, part 1 - the tribunal; or
- (b) for an original decision mentioned in schedule 1, part 2 - the Court.

(2) The tribunal or Court may stay the decision to secure the effectiveness of the review and any later appeal to the tribunal or Court.

(3) A stay may be given on conditions the tribunal or Court considers appropriate and has effect for the period stated by the tribunal or Court.

(4) The period of a stay must not extend past the time when the administering authority reviews the decision and any later period the tribunal or Court allows the applicant to appeal against the review decision.

Who may appeal

531.

(1) A dissatisfied person who is dissatisfied with a review decision, other than a review decision to which subdivision 1 applies, may appeal against the decision to the Court.

(2) The chief executive may appeal against another administering authority 's decision (whether an original or review decision) to the Court.

(3) A dissatisfied person who is dissatisfied with an original decision to which section 521 does not apply may appeal against the decision to the Court.

ENVIRONMENTAL PROTECTION ACT 1994

Queensland Government
Environmental Protection Agency
Queensland **Parks and Wildlife Service**

Cairns District Office
PO Box 2066 CAIRNS QLD 4870
Phone: (07) 4046 6602 Fax: (07) 4046 6606
www.env.qld.gov.au ABN: 87221158786

Licence No. FN0514
(with development approval)

Section 86 *Environmental Protection Act 1994*

COPY

This licence, issued under the Environmental Protection Act 1994, *allows the administering authority to make conditions with regard to financial assurances and matters relating to an Integrated Environmental Management System (IEMS). The licence and its conditions must be considered in conjunction with any conditions imposed on your development approval granted under the* Integrated Planning Act 1997 *or its equivalent.*

Under the provisions of the *Environmental Protection Act 1994* this licence is issued to:

Lyntune Pty Ltd
Trading as Bluewater Barramundi
Mourilyan Harbour Road
MOURILYAN QLD 4858

FAXED
15 FEB 2002
TRANS No: 2531/4533

DESPATCHED
18 FEB 2002
Reg Mail No: RH849364O

in respect of carrying out the environmental relevant activity:

1(b) Aquaculture - Cultivating or holding marine, estuarine or freshwater organisms (other than molluscs) in ponds or tanks or in enclosures in waters (the 'impoundments') if the total area of the impoundments is less than 5 ha and wastes are released to waters

at the following place:

Lot 86, Plan NR6009
PARISH OF Mourilyan, County of Nares.

located at:

Mourilyan Harbour Road
MOURILYAN QLD 4858.

This licence is subject to the conditions set out in the attached schedules.

The anniversary date of this licence is 15 February.

This licence takes effect from 15 February 2002.

R. A. Lawrence — Signed

15 February 2002 — Date

Rob Lawrence
District Manager
Cairns District, Northern Region
Delegate of Administering Authority
Environmental Protection Act 1994

Note: This licence document is not proof of the current status of the licence. The current status of the licence may be ascertained by contacting the Environmental Protection Agency.

Schedule of conditions

The aforementioned description of the ERA for which this authority is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing the authority. Where there is any conflict between the above description of the ERA for which this authority is issued and the conditions as specified in this authority as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

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

- Schedule A - General conditions
- Schedule I - Definitions

Schedule A - General conditions

No conditions are prescribed under this schedule.

END OF CONDITIONS FOR SCHEDULE A

Schedule I - Definitions

No definitions in this schedule.

END OF CONDITIONS FOR SCHEDULE I

END OF ENVIRONMENTAL AUTHORITY

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Cairns District Office
PO Box 2066 CAIRNS QLD 4870
Phone: (07) 4046 6602 Fax: (07) 4046 6606
www.env.qld.gov.au ABN: 87221158786

Notice of concurrence agency response

Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

COPY

This notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the Integrated Planning Act 1997, *to advise you of a decision or action.*

Enquiries to : Ingrid Minnesma
Telephone : (07) 4046 6724
Your reference :
Our reference : CNS1021

FAXED
Am - 4529/4530
15 FEB 2002
Lyntune - 4531/4533
TRANS No:

DESPATCHED
Am - RL184936 39
18 FEB 2002
Lyntune - RL184936 4P
Reg Mail No:

Allan Anthony Bisbal and Lyntune Pty Ltd
PO Box 126
MOURILYAN QLD 4858

cc. Assessment Manager
Johnstone Shire Council
PO Box 887
INNISFAIL QLD 4860

Attention: Mr David Borgelt,

Re: Application (No. T.2/3 (76/3)) for development approval by Allan Anthony Bisbal & Luntune Pty Ltd for assessable development to be carried out at a place situated at Lot 86, Plan NR6009 located at Mourilyan Harbour Road

Pursuant to the following items of Schedule 2 of the *Integrated Planning Regulation 1998,* the Environmental Protection Agency is the concurrence agency for the development application:

- Item 3 of Schedule 2 of the Integrated Planning Regulation 1998 <and/or> - Item 4 of Schedule 2 of the Integrated Planning Regulation 1998

The Environmental Protection Agency, acting as a concurrence agency under the Integrated Planning Act 1997, provides its response to the application detailed above as attached.

The Environmental Protection Agency, as the administering authority for the *Environmental Protection Act 1994* is required by section 540 to maintain a register of development approvals for environmentally relevant activities.

It would be appreciated if Johnstone Shire Council could provide a signed hard copy of the final development approval issued by Johnstone Shire Council (which includes the Agency's concurrence conditions), and an electronic copy of that development approval. The signed "hard copy" can be posted to the Agency's Environmental Support Officer.

Environmental Support Officer
Environmental Protection Agency
Cairns District Northern Region
PO Box 2066
CAIRNS QLD 4870

The electronic copy for the electronic register can be e-mailed in this instance to the Environmental Support Officer, Yvonne Dent at e-mail address: Yvonne.Dent@qld.env.gov.au.

The EPA has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

Should you require any further information please do not hesitate to contact Ingrid Minnesma on either phone (07) 4046 6724 or e-mail: Ingrid.Minnesma@qld.env.gov.au

R. A. Lawrence

Signed

15 January 2002

Date

Rob Lawrence
District Manager
Cairns District, Northern Region
Delegate of Administering Authority
Environmental Protection Act 1994

Concurrence Agency Response

Sections 3.3.16 and 3.5.18 *Integrated Planning Act 1997*

Applicant:	Allan Anthony Bisbal & Luntune Pty Ltd
Assessment Manager Application number:	T.2/3 (76/3)
EPA Development Application number:	FN0040DA
Date application received by EPA:	22 September 2000
Relevant Laws and Policies:	*Environmental Protection Act 1994* and subordinate legislation
Jurisdiction:	- Item 3 of Schedule 2 of the Integrated Planning Regulation 1998 <and/or> - Item 4 of Schedule 2 of the Integrated Planning Regulation 1998

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

1(b) Aquaculture - Cultivating or holding marine, estuarine or freshwater organisms (other than molluscs) in ponds or tanks or in enclosures in waters (the 'impoundments') if the total area of the impoundments is less than 5 ha and wastes are released to waters

at the following place(s):

Lot 86, Plan NR6009

located at:

Mourilyan Harbour Road
MOURILYAN QLD 4859

Type of development

Material change of use of premises - the start of a new use of the premises.

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that conditions must attach to any development approval.

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18(7) of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions. The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Amendment Regulation (No. 1) 1998* for the protection of the environment against the release or potential release of contaminants that will or may cause environmental harm. Development conditions placed on the development approval for the environmentally relevant activity are in accordance with section 79 of the *Environmental Protection Act 1994* ('the *EP Act*').

The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response, are required in accordance with section 92 of the *EP Act* and are relevant to the object and policies pertaining to the *EP Act*.

Additional comments or advice about the application

Nil

Additional information for applicants

This concurrence response pursuant to section 79 the EP Act applies only to the environmentally relevant activity(ies) component of the development and does not remove the need to obtain any further approval for this development which may be required pursuant to this or other legislation, both State and Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

It is a requirement of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined under schedule 2 of the *Environmental Protection Act 1994*) is being carried out on this land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming aware the activity is being carried out, give notice to the Environmental Protection Agency. A list of Notifiable Activities is provided within Schedule 2 of the *Environmental Protection Act 1994* .

R. A. Lawrence

Signed

15 January 2002

Date

Rob Lawrence
District Manager
Cairns District, Northern Region
Delegate of Administering Authority
Environmental Protection Act 1994

Conditions of the development approval

As part of the concurrence agency response the following schedules of development conditions are to be attached to the development approval:

The aforementioned description of the environmentally relevant activity (ERA) for which this development approval is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing this development approval. Where there is any conflict between the above description of the ERA for which this development approval is issued and the conditions as specified in this development approval as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This development approval authorises the ERA. It does not authorise environmental harm unless a concurrence agency condition within this development approval explicitly authorises that harm. Where there is no condition or the development approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

- Schedule A - Activity
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise
- Schedule E - Waste
- Schedule F - Land
- Schedule G - Community
- Schedule H - Definitions
- Schedule I - Maps / Plans

Schedule A - Activity

Prevent and /or Minimise Likelihood of Environmental Harm

(A1) 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 be prevented, shall be carried out in a proper manner in accordance with the conditions of this approval.

Site Based Management Plan

(A2) 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.

Records

(A3) 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.

Notification

(A4) Notify the administering authority as soon as practicable when the release of contaminants is not in accordance with the conditions of this document or any event where environmental harm may be threatened.

(A5) Written advice of the following information must be provided within fourteen (14) days following any event as identified in condition number (Notification A4):

- the location of the event;
- the time of the event;
- the time the holder of the development approval became aware of the event;
- the suspected cause of the event;
- a description of the resulting effects of the event;
- actions taken to mitigate any environmental harm and or environmental nuisance caused by the event; and
- proposed actions to prevent a recurrence of the event.

Acid sulphate soils (ASS)

(A6) You must comply with the latest edition of the Queensland Environmental Protection Agency's 'Guidelines For the Treatment and Management of Acid Sulfate Soils'.

(A7) Acid sulfate soils must be managed such that contaminants are not to be directly or indirectly released, as a result of the activity, to any waters or the bed and banks of any waters.

Areas of Production and Associated Treatment Ponds

(A8) This development approval applies only to the operation and maintenance of:

1. aquaculture ponds having a combined total area of not more than 4.5 hectares;
2. For stage 2 of the development an on farm waste water retention and treatment system of at least 0.5 hectares surface area, capable of achieving a minimum retention time for all effluent[1] of at least of two (2) days, designed to remove contaminants from waters released from the barramundi grow out ponds;

[1] With exception of four (4) larval rearing ponds.

Chemical Use

(A9) Chemicals must be used in accordance with manufacturers requirements and are limited to those approved by the National Registration Authority, prescribed by a veterinarian or which have been declared "Exempt from Registration" and their use shall be in accordance with the label's requirements for aquaculture.

(A10) All drugs and chemicals authorised to be used at the facility shall only be discharged to the receiving environment at a level prescribed or authorised by the Administering Authority

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Nuisance

(B1) 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.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Release to Waters

(C1) Contaminants must only be released to waters from the release points and in compliance with the release limits listed in Schedule C Table 1.

(C2) The total quantity of treated effluent released from the facility during any day must not exceed the limits specified in Schedule C Table 1.

(C3) The daily quantity of contaminants released must be determined by use of a method with an accuracy of ± 5% of the actual amount released.

Times of Release

(C4) The release of contaminants to waters of stage 2 of the development must only occur from 1/2 hour after local high water until 1/2 hour before local low water.

Monitoring

(C5) The holder of this environmental authority must conduct and keep records of contaminant releases to waters from the release points, frequency, and for the parameters specified in Schedule C Table 1. 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; and
- made in accordance with methods prescribed in the Environment Protection Agency Water Quality Sampling Manual, 3rd Edition, December 1999, or more recent additions or supplements to that document as such become available.

Schedule C - Table 1 (Release limits)

			Release limit			
Monitoring point	**Discharge location**	**Quality characteristics**	Minimum	Average	Maximum	**Monitoring frequency**
W1	refer to schedule J	Quantity		1600	5600	As per condition (C3)
W1	refer to schedule J	pH	7.0		9	Daily when a discharge is occurring
W1	refer to schedule J	Dissolved Oxygen (%)	80%		120%	Daily when a discharge is occurring
W1	refer to schedule J	Total Nitrogen (mg/L)		1.2	2.5	Initial sampling frequency[1] and after two (2) years the subsequent sampling[2]
W1	refer to schedule J	Total Phosphorus (mg/L)		0.2	0.6	Initial sampling frequency[1] and after two (2) years the subsequent sampling[2]
W1	refer to schedule J	Total Suspended Solids (mg/L)		14	25	Initial sampling frequency[1] and after two (2) years the subsequent sampling[2]
Background[3] - B1	Receiving waters 500metres upstream of discharge	Total Suspended Solids (mg/L) Total Phosphorus (mg/L) Total Nitrogen (mg/L)				Quarterly - when discharging to receiving waters
Impacted[4] - I1	Receiving waters 500metres downstream of discharge	Total Suspended Solids (mg/L) Total Phosphorus (mg/L) Total Nitrogen (mg/L)			background plus 10%	Quarterly - when discharging to receiving waters

1 **initial sampling frequency**
Whilst operating stage 1 only – After a harvest, at least four times during the production season
Within 0- 2 years of commencement of operation of stage 2 – **monthly**. Two samples must be taken during the later stages of drain harvest

2 **subsequent sampling frequency**
After 2 years of commencement of operation – **once every 2 months** (for those months when a discharge is occurring), with a minimum of six (6) samples per year. Two samples must be taken during the later stages of drain harvest

3 The impacted water quality sampling must be carried out on the ebb tide within 30 minutes (on the same day) as the discharge water quality sample and the background water quality sample , at Impacted point I1 defined as a point 500 metres downstream of the discharge.

4 Background water quality sampling must be carried out on the ebb tide within 30 minutes (on the same day) as the discharge water quality sample, at Background point B1 defined as a point 500 metres upstream of the discharge.

(C6) In the event of an exceedance of a release limit specified in Schedule C - Table 1 or Schedule C - Table 2, for the parameters suspended solids, nitrogen and phosphorus, the monitoring frequency will return to the initial sampling frequency specified in Schedule C - Table 1 for a period determined by the Administering Authority.

(C7) The net load of contaminants, (averaged out over the growing season) released from the facility must not exceed the limits specified in Schedule C - Table 2 below

Schedule C - Table 2

Daily load (kg/ha/day)		
Total Suspended Solids	**Total Nitrogen**	**Total Phosphorus**
5	0.43	0.06

(C8) Within six (6) months of issues of the development approval, the holder of the development approval must develop a draft Environmental Impact Monitoring Program to monitor the impacts of the aquaculture facility on the receiving environment and submit a copy of that draft Environmental Impact Monitoring Program to the administering authority for review and comment. The holder of the development approval must have due regard to that comment in the finalisation of the Environmental Impact Monitoring Program.

(C9) The holder of the development approval shall commence the monitoring and reporting program described in condition number (C8) within thirty (30) days of being advised in writing by the administering authority that the program is acceptable.

Stormwater Management

(C10) Prevent the release of stormwater runoff that has been in contact with any contaminants at the site to any waters.

(C11) Spillage of all chemicals and fuels must be captured within an on-site containment system.

Bunding

(C12) All chemical and petroleum product storage tanks must be bunded so that the capacity of the bund is sufficient to contain at least 100 % of the largest storage tank plus 10% of the second largest tank within the bund.

(C13) All chemical and petroleum product drum storages must be bunded so that the capacity of the bund is sufficient to contain at least 25% of the maximum design storage volume within the bund.

(C14) All required pipework from any bunded areas on the licensed place must be directed over the bund wall and not through it.

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise

Nil conditions prescribed

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste

Pond Sludge

(E1) Pond sediment removed from the production or settlement ponds must be stored and/or disposed of in a manner which does not cause the release of contaminants to any waters or stormwater drain.

Off Site Movement

(E2) Where regulated waste is removed from the premises (other than by a release as permitted under another schedule of this development approval), the holder of this development approval must monitor and keep records of the following:

1. the date, quantity and type of waste removed; and
2. name of the waste transporter and/or disposal operator that removed the waste; and
3. the intended treatment/disposal destination of the waste.

Disease Management

(E3) The holder of this development approval shall notify the administering authority of any disease outbreak requiring treatment and/or drainage of pond and/or tank contents.

(E4) The holder of this development approval must seek the written approval of the administering authority prior to disposing of any diseased organisms, or water which has come into contact with diseased organisms.

(E5) Where diseased organisms and/or affected water requires disposal it must be monitored and the following records kept:

1. the date, quantity and type of waste disposed of; and
2. name of the waste transporter and/or disposal operator that removed the waste; and
3. the intended treatment/disposal destination of the waste.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land

Nil conditions prescribed

END OF CONDITIONS FOR SCHEDULE F

Schedule G – Community

(G1) 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.

(G2) In consultation with the administering authority, cooperate with and participate in any community environmental group or organisation established in respect of either the premises to which this development approval relates specifically, or the industrial estate where the premises to which this development approval relates is located.

END OF CONDITIONS FOR SCHEDULE G

Schedule H - Definitions

Words and phrases used throughout this licence or development approval are defined below:

Word Definitions

(H1) **"administering authority"** means the Environmental Protection Agency or its successor.

(H2) **"you"** means the holder of this Environmental Authority and - or Development Approval.

(H3) **"licensed place"** means the place to which this environmental authority relates.

(H4) **"authority"** means level 1licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the Environmental Protection Act 1994.

(H5) **"approval"** means 'notice of development application decision' or 'notice of concurrence agency response' under the Integrated Planning Act 1997

(H6) **"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.

(H7) **"odour sensitive place"** has the same meaning as a "dust sensitive place"

(H8) **"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.

(H9) **"noxious"** means harmful or injurious to health or physical well being.

(H10 **"offensive"** means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

(H11) "$L_{A\ 10,\ adj,\ 10\ mins}$" means the A-weighted sound pressure level, *(adjusted for tonal character and impulsiveness of the sound)* exceeded for 10% of any 10 minute measurement period, using Fast response.

(H12) "$L_{A\ 1,\ adj,\ 10\ mins}$" means the A-weighted sound pressure level, *(adjusted for tonal character and impulsiveness of the sound)* exceeded for 1% of any 10 minute measurement period, using Fast response

(H13) **"noise affected premises"** means a "noise sensitive place" or a "commercial place"

(H14) **"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.

(H15) **"commercial place"** means a place used as an office or for business or commercial purposes.

(H16) **"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.*

(H17) **"protected area"** means -

- a protected area under the Nature Conservation Act 1992; or
- a marine park under the Marine Parks Act 1992; or
- a World Heritage Area.

(H18) **"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 any under groundwater, any part-thereof.

(H19) **Average** means arithmetic average and must be calculated using six consecutive results

(H20) **80th percentile** means not more than two (2) of the measured values of the quality characteristic is to exceed the stated release limit for any ten (10) consecutive samples for a sampling point at any time during the licensed works

(H21) **"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.

(H22) **"land"** in the "land schedule" of this document means land excluding waters and the atmosphere.

(H23) **"mg-L"** means milligrams per litre.

(H24) **"NTU"** means nephelometric turbidity units

(H25) **"regulated waste"** means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* (whether or not it has been treated or immobilised), and includes:

- for an element - any chemical compound containing the element; and
- anything that has contained the waste

(H26) **"licensed vehicle"** means a vehicle authorised to be used under the licence to transport regulated waste.

(H27) **"registered vehicle"** means "licensed vehicle"

(H28) **"clinical waste"** means waste that has the potential to cause disease including, for example, the following:

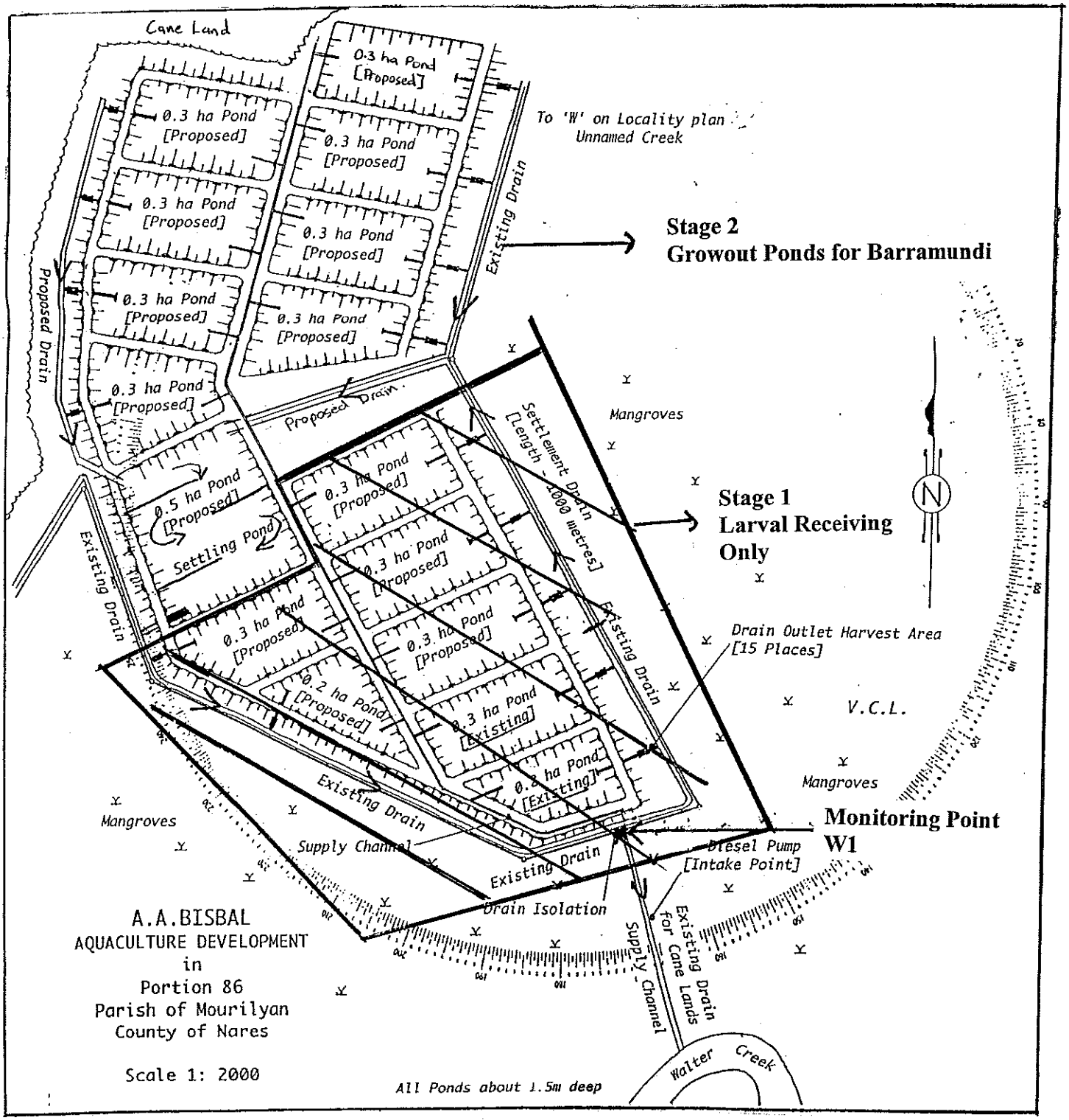
- animal waste;
- discarded sharps;
- human tissue waste;
- laboratory waste.

(H29) **"infectious waste"** means "clinical waste"

END OF CONDITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

(I1) **Aquaculture Facility – Stage 1 & 2** **Total Surface Area of Ponds 4.8 Ha**



END OF CONDITIONS FOR SCHEDULE I

END OF CONCURRENCE AGENCY RESPONSE