Queensland Government

Department of **Environment and Heritage Protection**

To: JHC Services Pty Ltd
PO Box 259
BRIBIE ISLAND QLD 4507

Email: jeffhill1311@gmail.com

Our reference: 444715

Application details

I refer to the application that was received by the administering authority on 22-AUG-2016.

Land description: Mobile and Temporary - EPPR04274216.

Decision

Your application has been approved and your environmental authority (reference EPPR04274216) is attached.

Additional comments or advice

This permit only approves mobile and temporary ERA 49 – Boat maintenance or repair under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits/approvals from your local government authority and other State Government agencies prior to commencing any activity. For example, this may include permit/approval from Department of Agriculture and Fisheries regarding biosecurity (marine pest or exclusion areas) or Department of National Parks, Sport and Racing regarding marine parks.

Should you have any further enquiries, please contact Bronwyn Rutherford on telephone (07) 3330 6231.

Yours sincerely

	22 November 2016
Signature	Date

Kerynne Birch
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enclosed

Permit - environmental authority (reference EPPR04274216)

Bronwyn Rutherford
Coastal and Marine Assessment
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 3330 6231
Email:
bronwyn.rutherford@ehp.qld.gov.au
Website **www.ehp.qld.gov.au**
ABN 46 640 294 485

Permit[1]

Environmental Protection Act 1994

Environmental authority

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

Permit[1] number: EPPR04274216

Environmental authority takes effect 22 November 2016

The first annual fee is payable within 20 business days of the effective date.

The anniversary date of this environmental authority is the same day each year as the effective date. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
JHC Services Pty Ltd	10 Acacia Street BELLARA QLD 4507

Environmentally relevant activity and location details

Environmentally relevant activity	Location(s)
49-Boat maintenance or repair	Various locations throughout the State of Queensland

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

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

It is a requirement of the EP Act that an owner or occupier of land give written notice to the chief executive if they become aware of the following:

- a notifiable activity (as defined in Schedule 3) that is being, or has been, carried out on the land (notice must be given within 20 business days)
- an event involving a hazardous contaminant on the land, or a change in the condition of the contaminated land, that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours).

For further information, including the form for giving written notice, refer to the Queensland Government website http://www.qld.gov.au/ (using the search term 'managing contaminated land').



Signature

22 November 2016.

Date

Kerynne Birch
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: 07 3330 6037
Email: palm@ehp.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)

Conditions of environmental authority

Agency interest: General	
Condition number	**Condition**
G1	Activities conducted under this environmental authority must not be conducted contrary to any of the following limitations: a) The activity must be undertaken in accordance with *Anti-Fouling and In-water Cleaning Guidelines June 2013* by Australian Government, Department of Agriculture, Fisheries and Forestry or succeeding guideline; b) The activity must not include in-water cleaning of vessels that may contain International biofouling; c) The activity must not include in-water cleaning which involves the removal or damage of anti-fouling coating; and d) The activity must capture and dispose of macrofouling debris greater than 50 micrometres in diameter.
G2	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the activities.
G3	Any breach of a condition of this environmental authority must be reported to the **administering authority** as soon as practicable within 24 hours of becoming aware of the breach. **Records** must be kept including full details of the breach and any subsequent actions taken.
G4	Other than as permitted by this environmental authority, the **release of a contaminant into the environment** must not occur.

G5	The **activity** must be undertaken in accordance with written procedures that: a) identify potential risks to the environment from the **activity** during routine operations and emergencies; and b) establish and maintain control **measures** that minimise the potential for environmental harm; and c) ensure plant, equipment and **measures** are maintained in a proper and effective condition; and d) ensure plant, equipment and **measures** are operated in a proper and effective manner; and e) ensure that staff are trained and aware of their obligations under the Environmental Protection Act 1994; and f) ensure that reviews of environmental performance are undertaken at least annually.
G6	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.
G7	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system**.
G8	**You** must record the following details for all environmental complaints received: a) date and time complaint was received b) name and contact details of the complainant c) nature of the complaint d) investigations undertaken e) conclusions formed f) actions taken.
Agency interest: Air	
Condition number	**Condition**
A1	Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.
Agency interest: Water	
Condition number	**Condition**
WT1	**You** must undertake a visual inspection of boat hull/underwater structure and if any species listed in **Attachment 1** *Biosecurity Act 2014*, Part 5, Marine animals and plants are present **you** must immediately cease the cleaning activity and notify Biosecurity Queensland or their successor.

Agency interest: Noise

Condition number	Condition
N1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**
N2	Noise from the **activity** must not include **substantial low frequency noise** components and must not exceed the levels identified in *Table N1—Noise limits* when measured in accordance with the associated monitoring requirements.

Table N1—Noise Limits

Noise level measured in dB(A)	**Monday to Saturday**			**Sunday and Public Holidays**		
	7am-6pm	6pm-10pm	10pm-7am	9am-6pm	6pm-10pm	10pm-9am
	Noise measured at a nuisance **sensitive place**					
$L_{Aeq\ adj,T}$	**Back-ground** +5	**Back-ground** +3	**Back-ground** +0	**Back-ground** +5	**Back-ground** + 3	**Back-ground** + 0
$L_{AMax,T}$	**Back-ground** +10	**Back-ground** +8	**Back-ground** +5	**Back-ground** +10	**Back-ground** +8	**Back-ground** +5
	Noise measured at a **commercial place**					
$L_{Aeq\ adj,T}$	**Back-ground** +10	**Back-ground** +8	**Back-ground** +5	**Back-ground** +10	**Back-ground** +8	**Back-ground** +5
$L_{AMax,T}$	**Back-ground** +15	**Back-ground** +13	**Back-ground** +10	**Back-ground** +15	**Back-ground** +13	**Back-ground** +10

Associated monitoring requirements

1. All monitoring devices must be correctly calibrated and maintained.
2. Any monitoring must be in accordance with the most recent version of the **administering authority's** *Noise Measurement Manual.*
3. Any monitoring of noise emissions from the **activity** must be undertaken when the **activity** is in operation.

Monitoring location(s) must be relevant to the matter(s) under investigation

KG

N3	When required by the **administering authority**, noise monitoring must be undertaken in accordance with the associated monitoring requirements of *Table N1—Noise Limits* and the results notified within 14 days to the **administering authority**. Monitoring must include: 1. $L_{Aeq, adj, T.}$ 2. **Background** noise (**Background**) as $L_{A\ 90, adj, T.}$ 3. $L_{AMax,T.}$ 4. The level and frequency of occurrence of any impulsive or tonal noise. 5. Atmospheric conditions including wind speed and direction. 6. Effects due to extraneous factors such as traffic noise. 7. Location, date and time of recording.
Agency interest: Land	
Condition number	**Condition**
L1	Contaminants must not be released to **land.**
Agency interest: Waste	
Condition number	**Condition**
W1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.

Definitions

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Heritage Protection or its successor or predecessors.

Anti-fouling coating means a coating applied to submerged surfaces to prevent or reduce accumulation of biofouling.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

Background means noise, measured in the absence of the noise under investigation, as $L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90% of the time period of not less than 15 minutes, using Fast response.

Biofouling means the accumulation of aquatic organisms (micro-organisms, plants and animals) on surfaces and structures immersed in or exposed to the aquatic environment.

Commercial place means 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.

Environmental value –

- a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or
- another quality of the environment identified and declared to be an environmental value under an environmental protection policy or regulation.

Environmental nuisance as defined in Chapter 1 of the *Environmental Protection Act 1994*.

International biofouling means biofouling acquired from outside the waters of the country where in-water cleaning is proposed.

In-water cleaning means the physical removal of biofouling surface deposits from submerged surfaces.

$L_{Aeq\ adj,T}$ means the adjusted A weighted equivalent continuous sound pressure level measures on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the **activity** is causing a steady state noise, and no shorter than one hour when the approved **activity** is causing an intermittent noise.

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

Land means any land, whether above or below the ordinary high-water mark at spring tides (i.e. includes **tidal land**).

Measures has the broadest interpretation and includes:

- **Procedural measures** such as standard operating procedures for dredging operations, environmental risk assessment, management actions, departmental direction and competency expectations under relevant guidelines
- **Physical measures** such as plant, equipment, physical objects (such as bunding, containment systems etc.), ecosystem monitoring and bathymetric surveys.

Nominated delegate means another government agency that provides services to the **administering authority**.

Noxious means harmful or injurious to health or physical well-being.

Offensive means causing offence or displeasure; is unreasonably disagreeable to the senses; disgusting,

nauseous or repulsive.

Prescribed water contaminants means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

Release of a contaminant into the environment means to:

- deposit, discharge, emit or disturb the contaminant
- cause or allow the contaminant to be deposited, discharged, emitted or disturbed
- fail to prevent the contaminant from being deposited, discharged emitted or disturbed
- allow the contaminant to escape
- fail to prevent the contaminant from escaping.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurements, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).

Tidal land means land that is submerged at any time by tidal water.

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.

You means the holder of the environmental authority.

Attachment 1

Biosecurity Act 2014
Part 5
Marine animals and plants
American slipper limpet (*Crepidula fornicata*)
Asian bag mussel, Asian date mussel (*Musculista senhousia*)
Asian clam, brackish-water corbula (*Corbula* (Potamocorbula) *amurensis*)
Asian green mussel (*Perna viridis*)
Asian seaweed (*Sargassum muticum*)
black striped mussel (*Mytilopsis sallei*)
brown mussel (*Perna perna*)
centric diatoms (*Chaetoceros concavicorne*, *C. convolutes*)
Chinese mitten crab (*Eriocheir* spp.)
colonial sea squirt (*Didemnum* spp.)—exotic invasive strains
comb jelly (*Mnemiopsis leidyi*)
European barnacle (*Balanus improvisus*)
European clam (*Varicorbula gibba*)
European fan worm (*Sabella spallanzanii*)
European green crab (*Carcinus maenas*)
green macroalga (*Caulerpa taxifolia*)—exotic strains
green macroalga (*Codium fragile* ssp. *tomentosoides*)
jack-knife clam (*Ensis directus*)
Japanese/Asian shore crab (*Hemigrapsus sanguineus*)
Japanese seaweed (*Undaria pinnatifida*)
lady crab (*Charybdis japonica*)
marbled spinefoot, rabbit fish (*Siganus rivulatus*)
New Zealand screwshell (*Maoricolpus roseus*)
northern Pacific seastar (*Asterias amurensis*)
Pacific crab (*Hemigrapsus takanoi/penicillatus*)
Pacific oyster (*Crassostrea gigas*)
pennate diatom (*Pseudo-mitzschia seriata*)
rapa whelk (*Rapana venosa* (syn *Rapana thomasiana*))
red gilled mudworm (*Marenzelleria* spp.)
red macroalga (*Grateloupia turuturu* (syn *Grateloupia doryphora*))
round goby (*Neogobius melanostomus*)
soft shell clam (*Mya arenaria*)
toxic dinoflagellates (*Dinophysis norvegica*, *Alexandrium monilatum* and *Pfiesteria piseicida*)

END OF PERMIT