Permit

Environmental Protection Act 1994

Environmental authority P-EA-100303562

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

Environmental authority number: P-EA-100303562

Environmental authority takes effect on the date that your related development approval takes effect (TA 2204-28306 SRA). This is the take effect date.

Environmental authority holder(s)

Name(s)	Registered address
Karan-Ann Kellly	517 North Bucca Rd QLD 4670 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 01 - Aquaculture 2(a) - Cultivating or holding marine, estuarine or freshwater organisms, other than crustaceans, in enclosures that are on land and have a total area of more than 100 square metres but not more than 10ha.	Lot 2 on SP117411.

Additional information for applicants

Environmentally relevant activities

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

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

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

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or

b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or

c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Amanda Gray
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 19 December 2022

Amanda Gray

Enquiries:
Coastal and Marine Assessment
Department of Environment and Science

Phone: 1300 130 372
Email: palm@des.qld.gov.au

Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Conditions of environmental authority

Relevant Activities:	**Location:**
ERA 01 - Aquaculture 2(a) - Cultivating or holding marine, estuarine or freshwater organisms, other than crustaceans, in enclosures that are on land and have a total area of more than 100 square metres but not more than 10ha.	Lot 2 on SP117411.

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

Agency interest: General	
Condition number	**Condition**
G1	Activities under this environmental authority must be conducted in accordance with the following limitations: 1. Within the bounds and specification of the approved plans listed below: a) **Site Plan** prepared by **Gatley Building Design** dated **05/10/2021**, Drawing Number **2169-01**, Revision **C.**
G2	This approval permits the operation of: a) Not more than 13 plankton **ponds**; b) Not more than 2 grow out **ponds**; c) Not more than 2 settlement **ponds**; and d) Not more than 3 dams.
G3	All **records** required by the conditions of this environmental authority must be kept for a minimum of five years and all environmental monitoring results and underlying raw data, must be kept until surrender of this environmental authority.

G4	All **records** required by the conditions of this environmental authority must be provided to the **administering authority** upon request by the time and in the format requested.
G5	All reasonable and practicable **measures** must be taken to prevent or minimise any environmental harm caused by the **activity**.
G6	Written procedures must be developed and documented within three months of the environmental authority taking effect that: a) identify all potential risks to the environment from the **activity**, including during and outside routine operations, during closure and in an emergency; and b) identify **measures** to prevent or minimise the potential for environmental harm for each of the potential risks identified; and c) establish an inspection and maintenance program for plant and equipment including calibration and servicing that is in accordance with manufacturer's instructions; and d) establish a staff training program on obligations under this environmental authority and the *Environmental Protection Act 1994* to be conducted as part of staff inductions and at least annually; and e) establish processes to review environmental risks, incidents, performance and complaints; and f) outline Stormwater management to ensure that aquaculture wastewater is kept separate from the stormwater wherever possible; and g) outline Wastewater Management strategies that are implemented to minimise the potential for release.
G7	Written procedures required by condition G6 must be: a) Implemented; and b) Reviewed at least annually; and c) Provided to the **administering authority** upon request at the time and in the format requested.
G8	Plant and equipment necessary to comply with the conditions of this environmental authority must be installed, operated and maintained: a) In a proper and effective manner; and b) In accordance with any written procedures developed under condition G6 for the plant and equipment.
G9	Chemicals and fuels in containers of greater than 15 litres must be stored within a **secondary containment system.**
G10	Any contravention of a condition of this environmental authority must be reported to the **administering authority** as soon as practicable, and no more than 24 hours after becoming aware of the contravention.
G11	**Records** of any contravention of this environmental authority must be made including full details of the contravention and any subsequent actions taken.
G12	All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (**NATA**) certification, or an equivalent certification, for such analyses. The only exception to this condition is for *in situ* monitoring of pH.

G13	All monitoring required by this environmental authority must be recorded.
G14	All monitoring required by this environmental authority must be carried out and interpreted by an **appropriately qualified person(s)**.
G15	Details of all **environmental complaints** received must be recorded including: a) Date and time the complaint was received and; b) Name and contact details of the complainant when provided by the complainant and; c) Nature and details of the complaint and; d) Investigations undertaken and; e) Conclusions formed and; f) Actions taken.
G16	When required by the **administering authority**, monitoring must be undertaken in the manner prescribed by the **administering authority** to investigate any alleged **environmental harm** caused by the **activity**.
G17	Any report, results and underlying raw data, of monitoring required by condition G16 must be recorded.
G18	An annual monitoring report must be prepared and submitted to the **administering authority** by the environmental authority take effect date each year, for the preceding **financial year**.
G19	The annual monitoring report required by condition G18 must include: a) Calculation of **Annual Mass Load** of **Total Nitrogen** and Total Suspended Solids in accordance with condition WT10; and b) An outline of actions taken or proposed to minimise any environmental risk identified from, for example, monitoring and **environmental complaints**; and c) Calculations of the volume and frequency of wet weather storage overflows, where applicable.
G20	Unless otherwise specified in a condition of this environmental authority, all **records** required to be submitted to the **administering authority** under this environmental authority, must be submitted to: 1300 130 372 (option 2) / pollutionhotline@des.qld.gov.au (for notifications under condition G15 that do not relate to a release to **waters**); or palm@des.qld.gov.au; or Permit and Licence Management Department of Environment and Science GPO Box 2454 Brisbane QLD 4001
Agency interest: Noise	
Condition number	**Condition**
N1	Noise from the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.

Agency interest: Air	
A1	Odours or airborne contaminants from the **activity** must not cause **environmental nuisance** at any **sensitive place** or **commercial place**.
Agency interest: Waste	
Condition number	**Condition**
W1	Other than as permitted by this environmental authority, all waste generated by the **activity** must be lawfully reused or recycled, and/or lawfully removed to a facility that can lawfully accept the waste.
W2	Where **diseased** organisms and/or **affected water** require offsite disposal the following **records** must be kept: a) The date, quantity and type of waste disposed of; and b) Name of the waste transporter and/or disposal operator that removed the waste; and c) Details of suspected or confirmed **disease**; and d) The intended treatment and/or disposal destination of the waste.
W3	The **administering authority** must be notified as soon as practicable, but no more than 24 hours, after becoming aware of any **disease** outbreak requiring treatment and/or drainage of **ponds**.
W4	Sludge removed from any **ponds** must be stored and/or disposed of in a manner that does not cause or have the potential to cause a release of contaminants.
Agency interest: Water	
Condition number	**Condition**
WT1	Other than as permitted by this environmental authority, contaminants from the **activity** must not be released to **waters**.

WT2

Contaminants must only be released to surface **waters** where:

a) They are from the discharge locations; and
b) The release limits for each indicator are met at the discharge locations; and
c) Monitoring at all monitoring locations and at the frequency; and

as per '*Table 1 – Release Quality Characteristic limits and monitoring frequency';* and

d) The associated requirements are complied with.

Table 1 – Release Quality Characteristic limits and monitoring frequency

Monitoring location	Discharge location	Indicator	Release limit			Minimum monitoring frequency
			Minimum	Mean	Maximum	
Dam J	**Dam J**	pH	6.5		8.0	Quarterly
		Total nitrogen (mg/L)			0.55	
		Total phosphorus (mg/L)			0.05	
		Total suspended solids (mg/L)			10	

Associated requirements

1. *Monitoring must be carried out in accordance with the methods prescribed in the current edition of the Department of Environment and Science Monitoring and Sampling Manual.*
2. *Water samples must be representative of the general condition of the water body.*
3. *All determinations must employ analytical techniques of sufficient sensitivity to enable comparisons to be made against water quality objectives/triggers/limits relevant to the particular water or sediment quality characteristics.*
4. *All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual.*

WT3

Notwithstanding any other condition of this environmental authority, the wastewater must be directed from the discharge structure **Dam J** in a manner which does not erode or otherwise disturb vegetation, the stream banks or the habitat in general.

WT4

Notwithstanding any other condition of this environmental authority, wastewater is only permitted to be released during a rainfall event meeting, or exceeding, the volume of an Annual Return Interval (ARI) 1 in 2-year approximate 10hr storm event.

WT5

The quantity of water released from **Dam J** must be determined, using a method with an accuracy of at least +/-5% of the actual amount released, and recorded.

WT6

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**.

WT7

All **ponds**, channels and containment structures used for the storage, use or treatment of aquaculture waters must be constructed and maintained:

a) To minimise the likelihood of any release of water through the bed or banks of the **pond**, channels or containment structures to any **waters**; and

b) To ensure the stability of the **ponds**, channels or containment structures; and

c) In accordance with the relevant edition of the Queensland Government guideline titled 'Guideline for constructing and maintaining aquaculture containment structures'.

<table>
<tr><td>WT8</td><td>Contaminants from the activity must not be released to groundwater or to a location where they are likely to release to groundwater.</td></tr>
<tr><td>WT9</td><td>The annual mass load of total nitrogen and total suspended solids released to waters from Dam J must comply with the limits listed in Table 2 – Contaminant release to waters – annual mass load limits.

Table 2 – Contaminant release to waters – annual mass load limit
<table>
<tr><th>Release point</th><th>Indicator</th><th>Limit type</th><th>Release limit</th></tr>
<tr><td rowspan="2">Dam J</td><td>Total nitrogen</td><td>Maximum</td><td>0 kg</td></tr>
<tr><td>Total Suspended Solids</td><td>Maximum</td><td>0 kg</td></tr>
</table></td></tr>
<tr><td>WT10</td><td>The yearly sum of daily release volume (ML) and annual mass load of total nitrogen and total suspended solids released to waters must be calculated for each financial year.</td></tr>
<tr><td colspan="2">Agency interest: Land</td></tr>
<tr><td>Condition number</td><td>Condition</td></tr>
<tr><td>L1</td><td>Contaminants from the activity must not be released to land.</td></tr>
<tr><td>L2</td><td>Treatment and management of acid sulfate soils must comply with the latest edition of the Queensland Acid Sulfate Soil Technical Manual.</td></tr>
<tr><td>L3</td><td>Rehabilitation of the site is required to achieve a safe, stable and non-polluting landform.</td></tr>
</table>

Definitions

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

Acid sulfate soils means a soil, sand, mud or clay containing significant levels of pyrite (iron sulphide), which on exposure to oxidising conditions results in, or has the potential to result in, the generation of sulphuric acid in quantities greater than the inherent buffer capacity of the soil.

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 Science or its successors or predecessors.

Affected water means water that has come into contact with **diseased**, or potentially **diseased**, organisms.

Annual Mass Load is calculated as follows:

Annual Mass Load TN (kg) = Yearly sum of Release Volume (ML) x Yearly Long Term **Mean** TN Concentration (**mg/L**)

Annual Mass Load TSS (kg) = Yearly sum of Release Volume (ML) x Yearly Long Term **Mean** TSS Concentration (**mg/L**)

Note: calculations should be undertaken on a rolling basis based on nutrient sampling during periods of release.

OR can be calculated as the sum of the **Annual Mass Load** minus a **nutrient offset** approved by the **Administering authority** in writing**.**

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the environmental authority (EA) requirement and can give authoritative assessment, advice and analysis in relation to the EA requirement using relevant protocols, standards, methods or literature.

Commercial place means a place, or part of a place, used as a workplace, an office or for business or commercial purposes.

Dam J as denoted on Site Plan prepared by Gatley Building Design dated 05/10/2021, Drawing Number 2169-01, Revision C.

Day means any continuous 24-hour period.

Disease as defined in Schedule 4 of the *Biosecurity Act 2014*.

Environmental complaints means an expression of dissatisfaction, concern or report, whether written or verbal, about the **activity** and/or its impact on the environment.

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

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

Financial year means a period of one year beginning on 1 July.

Groundwater means water that occurs naturally in, or is introduced artificially into, an aquifer.

Land does not include **waters**.

Measures have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

mg/L means milligrams per litre.

Mean means the arithmetic mean obtained by adding several quantities together and dividing the sum by the number of quantities. For example, the arithmetic mean of 1, 5, 2, 8 is 4.

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

NATA means National Association of Testing Authorities.

Nutrient offset means projects in accordance with the *Point Source Water Quality Offsets Policy 2019* or more recent additions or supplements to the document that become available, as agreed to in writing by the **administering authority**.

Objectionable Matter includes foam and algae in excess of the levels founds in the nearby receiving environment.

Pond includes a tank, channel or containment structure:

a) used to hold, or cultivate, freshwater, marine or estuarine organisms; or
b) used for the storage, use or treatment of aquaculture waters.

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

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 places and parts of places as follows:

a) a dwelling, residential allotment, 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 under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or

f) a public park or garden; or

g) for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019.

Total Nitrogen (TN) means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen, expressed as **mg/L** as Nitrogen. This includes both the inorganic and organic fraction of nitrogen.

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.

WaTERS is the department's Water Tracking and Electronic Reporting System (see https://www.business.qld.gov.au/industries/mining-energy-water/water/maps-data/submit-data).

Appendix 1 – Attached Plans

The following plans referenced in this permit are attached:

Site Plan prepared by **Gatley Building Design** dated **05/10/2021**, Drawing Number **2169-01**, Revision **C.**

END OF PERMIT

Site Plan prepared by **Gatley Building Design** dated **05/10/2021**, Drawing Number **2169-01**, Revision **C.**



Queensland Government