

Permit¹

Environmental Protection Act 1994

Environmental authority

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

Permit¹ number: EPPR00332613

Environmental authority takes effect when your related development application is approved. Within 20 business days of the EA taking effect the **administering authority** must be given written authorisation.

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 which is currently \$10,054.00 will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Meridien AB Pty Ltd T/A Windward Airlie Beach Partnership	PO Box 586 AIRLIE BEACH QLD 4802
Meridien Airlie Beach Pty Ltd	Level 26 Waterfront Place 1 Eagle Street BRISBANE CITY QLD 4000

Environmentally relevant activity and location details

Environmentally relevant activity	Location
16-(1c) Dredging >100000t but <1000000t yr	Port of Airlie Marina - Lot 1 Plan SP172260, Lot 117 on SP232115, Lot 120 on SP218220 and state land formerly described as Lot 501 on SP218220.

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.

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

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

Contaminated land

It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.



Signature



Date

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

Enquiries:

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Obligations under the *Environmental Protection Act 1994*

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

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

Location: Port of Airlie Marina - Lot 1 Plan SP172260

Relevant activity:

16-(1c) Dredging >100000t but <1000000t yr

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Schedule A - Activity

Prevent and /or minimise likelihood of environmental harm

- (1A-1) In carrying out the environmentally relevant activities, the holder of the authority must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity (ERA), that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this approval.

Maintenance of measures, plant and equipment

- (1A-2) The holder must:
- install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and
 - maintain such measures, plant and equipment in a proper and efficient condition; and
 - operate such measures, plant and equipment in a proper and efficient manner.

Records

- (1A-3) 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.

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Dredging

- (1A-4) The only form of dredging, extraction and screening to be carried out is that associated with the construction and maintenance of the Port of Airlie Marina and access channel as shown in the plan in Schedule 1I – Figure 1 of this document.
- (1A-5) Excavated material and dredge spoil is only to be disposed of in the areas specified on Drawing No's. 5393-201-1 and RPS 110420-1 VOL-01 Rev B, or in the purpose built dredge spoil pond. Any excess material or dredge spoil must be disposed of at an approved landfill site to the satisfaction of Whitsunday Shire Council.

Environmental Management System

- (1A-6) The **activity** must be undertaken in accordance with written procedures that:
1. identify potential risks to the environment from the **activity** during routine operations, closure and an emergency
 2. establish and maintain control **measures** that minimise the potential for environmental harm
 3. ensure plant, equipment and **measures** are maintained in a proper and effective condition
 4. ensure plant, equipment and **measures** are operated in a proper and effective manner
 5. ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994*
 6. ensure that reviews of environmental performance are undertaken at least annually.

Acid Sulfate Soils

- (1A-7) Treatment and management of acid sulfate soils must comply with the current edition of the *Queensland Acid Sulfate Soil Technical Manual*.

Blasting

- (1A-8) No blasting is to occur in areas that are not separated from tidal waters by steel sheet piling.

END OF CONDITIONS FOR SCHEDULE 1A

SCHEDULE 1B - AIR

Nuisance

- (1B-1) 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.

Dust nuisance

- (1B-2) The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.

END OF CONDITIONS FOR SCHEDULE 1B

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SCHEDULE 1C - WATER

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

Monitoring

(1C-2) Monitoring must be undertaken at the locations identified in Schedule 1I – Figure 2 and records kept of contaminant releases to waters from the discharge location for the parameters and not less frequently than specified in Schedule 1C - 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 latest edition of the Environment Protection Agency Water Quality Sampling Manual; and
- carried out on samples that are representative of the discharge.

Schedule 1C - Table 1

		Release limits		
Monitoring Point	Quality Parameters	Min	Max	Minimum Monitoring Frequency
SURFACE WATERS				
SW3, SW4, SW5, SW6	Suspended Solids (mg/L)	-	-	Daily
	Turbidity (NTU) Dissolved Oxygen (% saturation) Temperature (C) pH	-	-	Daily when discharging, dredging the access channel or when parts of the barrier enclosing the marina are installed and removed
SW2	pH	-	-	Daily when handling NNPASS and any time that discharge falls below pH 6.5
D1, D2	pH - where the background pH is less than 6.5 or more than 9.0	0.2 pH units below background	0.2 pH units above the background	Continuous 24 hour monitoring when discharging by auto logger
	pH - where the background pH is between 6.5 and 9.0	6.5	9.0	

	Dissolved Oxygen (mg/L)	90%	110%	
	Temperature (C)	-	-	
	Turbidity (NTNU)	-	22.5	
	Suspended Solids (mg/L)	-	Must not exceed 110 percent of the greater value from SW2 or SW3	Weekly when discharging but on the same tide and with not more than 90 minutes separation from collection of samples from the reference locations.
	Aluminium - if pH is less than or equal to 6.5		5µg per litre	
	Aluminium - if pH is greater than 6.5		100µg per litre	
	Total Iron (Fe ²⁺ and Fe ³⁺)		1,000 µg per litre	
	Ferrous Iron (Fe ²⁺)		300 µg per litre	
	Tributyl Tin (TBT)		0.006 µg per litre	
	pH - where the background pH is between 6.5 and 9.0	6.5	9.0	
	Suspended Solids (mg/L)	-	Must not exceed 10 percent greater than a background value.	
	Turbidity (NTU)	-	Must not exceed 5 NTU greater than a background value.	
100 m down current of any works on the outgoing tide within the flow path of each visible turbid plume arising from the works	Suspended Solids (mg/L)	-	Must not exceed 110 percent of the background sample (50m upstream of activity)	Weekly when dredging outside of marina and not more than 30 minutes separation from collection of background samples
	Dissolved Oxygen (mg/L)	90%	110%	Daily when dredging outside of marina and not more than 30 minutes separation from collection of background samples
	pH - where the background pH is less than 6.5 or more than 9.0	0.2 pH units below background	0.2 pH units above the background	
	pH - where the background pH is between 6.5 and 9.0	6.5	9.0	
	Turbidity (NTNU) when dredging at locations south of Northing 7758066 (Zone 55)	-	Must not be more than either 22.5NTU or 110 percent of the average turbidity within 100m of SW3	Daily when dredging outside of marina and not more than 30 minutes

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	Turbidity (NTNU) when dredging at locations north of Northing 7758066 (Zone 55)		Must not exceed the background sample (50m upstream of activity) by more than 5NTU	separation from collection of background samples
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Erosion protection measures and sediment controls

- (1C-3) Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
- (1C-4) Prevent the release of sediment to waters or a build-up of sediment in any stormwater drain except as provided for in Schedule 1C – Table 1.

Stormwater management

- (1C-5) There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain except as provided for in Schedule 1C – Table 1.

END OF CONDITIONS FOR SCHEDULE 1C

SCHEDULE 1D - NOISE

Noise nuisance

- (1D-1) All noise from site activities, excluding pile driving must not exceed the levels specified in Schedule 1D Table 1 outside habitable rooms with doors and windows open or closed at any noise affected premises.

Schedule 1D - Table 1

Noise Guideline Criteria	Monday to Saturday 7 am – 6 pm	Other
L _{A10} Adj, 15 Min noise measured at a noise sensitive place or commercial place	75dB(A)	No audible noise

Background noise levels for the purpose of Schedule 1D - Table 1 are taken from the results of the ambient noise monitoring program required under condition (1D-2)(i) for the respective time periods.

- (1D-2) No percussion pile driving is to occur:
- (i) on Sundays or public holidays;
 - (ii) Monday to Saturday
 - (a) before 8 am
 - (b) after 5pm.

Ground Vibration Conditions

- (1D-3) Vibration emitted from activities must not cause a nuisance at any vibration sensitive place.

END OF CONDITIONS FOR SCHEDULE 1D

SCHEDULE 1E - WASTE

Waste handling

- (1E-1) All waste generated in carrying out the **activity** must be reused, recycled or removed to a facility that can lawfully accept the waste.

END OF CONDITIONS FOR SCHEDULE 1E

SCHEDULE 1F - LAND

Preventing contaminant release to land

- (1F-1) Spillage of all chemicals and fuels must be contained within an on-site containment system, controlled and cleaned up in a manner that prevents environmental harm.

NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

END OF CONDITIONS FOR SCHEDULE 1F

SCHEDULE 1G - COMMUNITY

Complaint response

- (1G-1) 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.
- (1G-2) In consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the site specifically or the industrial estate where the site is located.

END OF CONDITIONS FOR SCHEDULE 1G

SCHEDULE 1H - DEFINITIONS

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

Where a definition for a term used in this approval is sought and the term is not defined within this approval the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

- (1H-1) **"annual return"** means the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the development approval.
- (1H-2) **"Acid Sulfate Soil"** means a soil or soil horizon that contains sulfides; or an acid soil horizon affected by oxidation of sulfides (the meaning under the *Environmental Protection (Water) Policy 1997*).
- (1H-4) **"administering authority" means** the Department of Environmental and Heritage Protection or its successor.
- (1H-5) **"approval" means** 'notice of development application decision' or 'notice of concurrence agency response' under the IPA.
- (1H-6) **"authorised place" means** the place authorised under this authority/approval for the carrying out of the specified environmentally relevant activities.
- (1H-7) **"annual return" means** the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the approval.
- (1H-9) **"commercial place" means** a place used as an office or for business or commercial purposes.
- (1H-10) **"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.
- (1H-14) **" $L_{A 10, \text{adj}, 15 \text{ mins}}$ "** means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 15 minute measurement period, using Fast response.
- (1H-19) **"land"** in the "land schedule" of this document means land excluding waters and the atmosphere.
- (1H-20) **"mg/l"** means milligrams per litre

(1H-22) "**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.

and includes the curtilage of such place.

(1H-23) "**noxious**" means harmful or injurious to health or physical well-being.

(1H-24) "**NTU**" means nephelometric turbidity units

(1H-25) "**nuisance sensitive place**" includes -

- a dwelling, residential allotment, 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 under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
- a public thoroughfare, park or gardens; or
- 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.

(1H-27) "**offensive**" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

(1H-28) "**permanent groundwater table height**" means the normal seasonal groundwater table height prior to influence by human activities as evidenced by groundwater monitoring and soil data.

(1H-29) "**Pile driving**" means sheet pile driving and encased pile driving.

(1H-31) "**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.

(1H-32) "**site**" means the place to which this authority relates or the premises to which this approval relates.

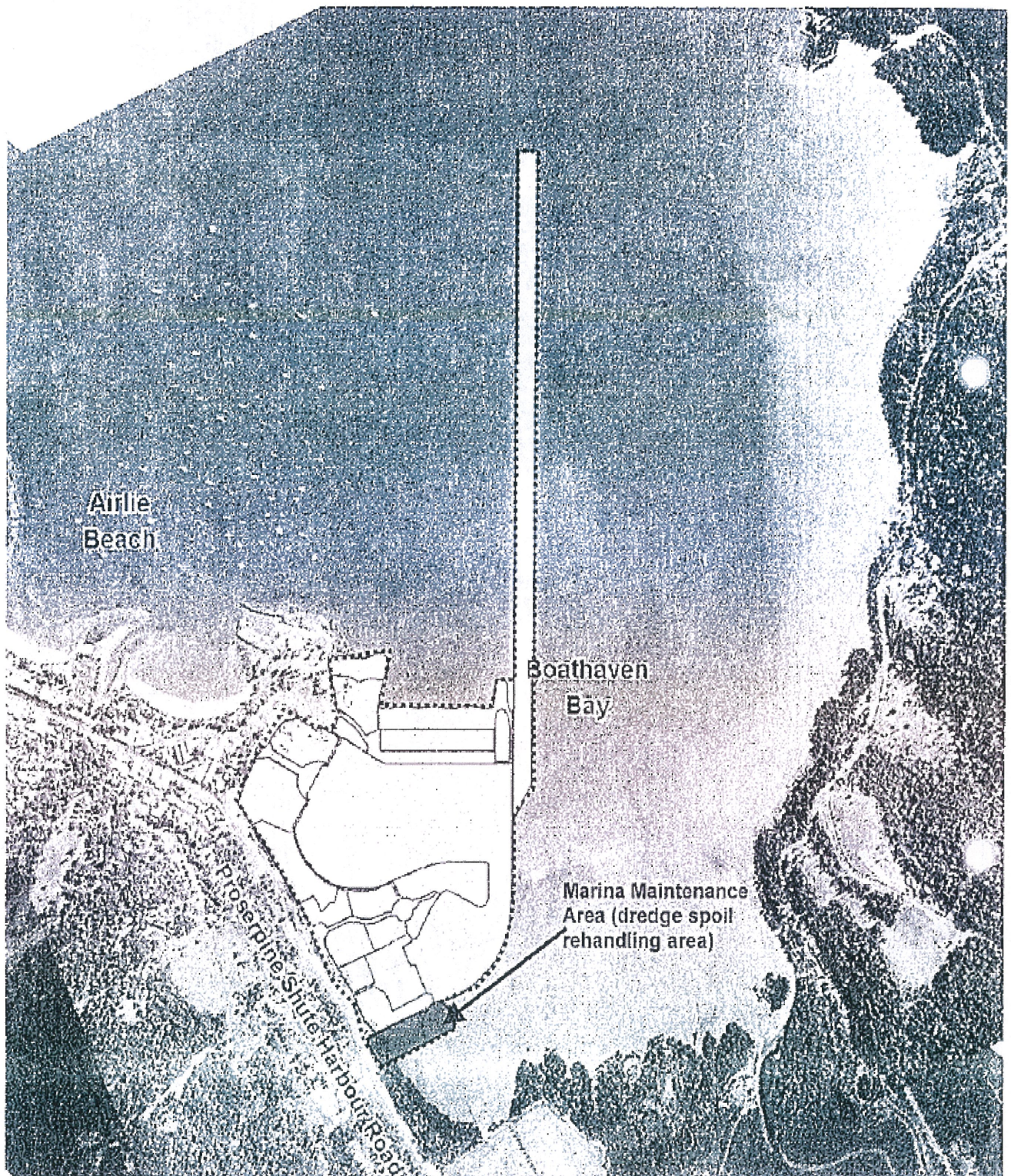
(1H-33) "**vibration sensitive place**" means a noise sensitive place or a commercial place.

(1H-34) "**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.

END OF DEFINITIONS FOR SCHEDULE 1H

Schedule 11 – Maps / Plans

Figure 1. – Shaded area indicates the area authorised for dredging, extraction and screening activities.



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Figure 2. – Approved ancillary dredge spoil disposal area shown as green



END OF SCHEDULE 11
END OF PERMIT

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