

Environmental authority EPPR00393913

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

Environmental authority number: EPPR00393913

Environmental authority takes effect on the day it is signed by the delegate.

The anniversary day of this environmental authority remains **15 June**. The payment of the annual fee will be due each year on this day.

Environmental authority holder

Name	Registered address
MULPHA HOTEL PTY LTD	Transport House Level 5 99 Macquarie St SYDNEY NSW 2000 Australia

Environmentally relevant activity and location details

Environmentally relevant activities	Locations
ERA 64 - Water treatment 1: Desalinating, in a day, the following quantity of water, allowing the release of waste only to seawater (a) 0.5ML to 5ML	Lot 1/SP253593 Adjacent to Lot 1/SP253593
ERA 63 - Sewage Treatment 1: Operating sewage treatment works, other than no-release works, with a total daily peak design capacity of (c) more than 1500 but not more than 4000EP	Lot 1/SP253593 Adjacent to Lot 1/SP253593
ERA 49 - Boat maintenance or repair Operating, on a commercial basis, a boat maintenance or repair facility for maintaining or repairing hulls, superstructure or mechanical components of boats or seaplanes	Lot 1/SP253593

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.

E. Clarke

Liz Clarke
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Utilities and Government Assessment
Department of Environment and Science

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

Date issued: 24 February 2021

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)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site.

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

Environmentally relevant activities	Locations
63 Sewage treatment (1)(c) >1,500 to 4,000EP	Lot 1/SP253593 Adjacent to Lot 1/SP253593
64 Water treatment (1)(a) 0.5 to 5ML	Lot 1/SP253593 Adjacent to Lot 1/SP253593
49 Boat maintenance or repair	Lot 1/SP253593

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

Agency interest: General	
Condition number	Condition
G1	All reasonable and practicable measures must be taken to prevent or minimise any environmental harm caused by the activities.
G2	Any contravention of a condition of this environmental authority must be reported to the administering authority as soon as practicable, but no more than within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions taken.
G3	For any contravention of a condition of this environmental authority, an investigation must be carried out to determine the cause of the contravention and the investigation must include an assessment to determine the environmental impact of the contravention.
G4	Records of any contravention of this environmental authority must be made including full details of the contravention and any subsequent actions taken in accordance with condition G5.
G5	Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.
G6	All records required by the conditions of this environmental authority must be kept for a minimum of five years, and all monitoring results and underlying raw data must be kept until surrender of this environmental authority.
G7	All records required by the conditions of this environmental authority must be provided to the administering authority : (a) within the timeframe specified by the administering authority; and (b) in the format requested by the administering authority.
G8	An appropriately qualified person(s) must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.

G9	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 <i>in situ</i> monitoring of pH, dissolved oxygen, and electrical conductivity.
G10	An annual monitoring report must be prepared each year and submitted to the administering authority upon request.
G11	The annual monitoring report required by condition G10 must include: (a) The findings of any monitoring program for the period; and (b) A summary of the previous 12 months monitoring results including graphical representations identifying relevant indicator limits; and (c) A summary of any record of quantities of releases required to be kept under this environmental authority; and (d) An outline of actions taken or proposed to minimise the environmental risk from any deficiency identified by monitoring programs and/or environmental complaints; and
G12	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 of the complaint; and (d) investigations undertaken; and (e) conclusions formed; and (f) actions taken.
G13	Written procedures must be developed which: (a) identify all potential risks to the environment from the activity, including: (i) during routine operations; and (ii) outside routine operations; and (iii) during closure; and (iv) 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 <i>Environmental Protection Act 1994</i> to be conducted as part of staff inductions and at least annually thereafter; and (e) establish processes to review environmental risks, incidents, performance and complaints.
G14	Written procedures required by condition G13 must be: (a) implemented; and (b) reviewed at least every two years; and

	(c) provided to the administering authority upon request and within a timeframe specified by the administering authority .																		
G15	For plant and equipment, all measures necessary to comply with the conditions of this environmental authority must be: (a) installed, operated and maintained in a proper and effective manner; and (b) in accordance with the written procedure developed in accordance with condition G13.																		
G16	Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system .																		
G17	Monitoring required by this environmental authority must be in accordance with the most recent edition of the administering authority's Monitoring and Sampling Manual.																		
G18	All monitoring devices must be effectively calibrated and maintained in accordance with manufacturers specifications.																		
G19	All monitoring of contaminant releases required by this environmental authority must be representative of the release.																		
G20	Notwithstanding any other condition of this environmental authority, any release of contaminants to waters and land 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.																		
Agency interest: Air																			
Condition number	Condition																		
A1	Odours or airborne contaminants from the activity must not cause environmental nuisance to any sensitive place or commercial place .																		
Agency interest: Water																			
Condition number	Condition																		
WT1	Contaminants must only be released to surface waters where they: (a) are from the discharge locations; and (b) meet the release limits for each indicator; and (c) are monitored at the monitoring point and at the frequency; as stated in Table 1 — Waste Water Release Limits from the Water Treatment Plant and the associated requirements are complied with. Table 1 - Waste Water Release Limits from the Water Treatment Plant <table><tr><th rowspan="2">Monitoring Point</th><th rowspan="2">Discharge Location</th><th rowspan="2">Quality Characteristics</th><th colspan="2">Release Limit</th><th rowspan="2">Monitoring Frequency</th></tr><tr><th>Minimum</th><th>Maximum</th></tr><tr><td rowspan="2">Outlet from the water treatment plant</td><td rowspan="2">-20.0569, 148.8773</td><td>pH</td><td>6.5</td><td>8.5</td><td>Every three months.</td></tr><tr><td>Total Suspended Solids</td><td>40ppm</td><td>65ppm</td><td>Every three months.</td></tr></table>	Monitoring Point	Discharge Location	Quality Characteristics	Release Limit		Monitoring Frequency	Minimum	Maximum	Outlet from the water treatment plant	-20.0569, 148.8773	pH	6.5	8.5	Every three months.	Total Suspended Solids	40ppm	65ppm	Every three months.
Monitoring Point	Discharge Location				Quality Characteristics	Release Limit		Monitoring Frequency											
		Minimum	Maximum																
Outlet from the water treatment plant	-20.0569, 148.8773	pH	6.5	8.5	Every three months.														
		Total Suspended Solids	40ppm	65ppm	Every three months.														

			Salinity	N/A	67,200ppm	Every three months.																																										
	Associated requirements: 1. The discharge location must be submerged at all times. 2. The peak flow from the discharge location must not exceed 3.36ML per day. 3. The wastewater must go through a diffuser, prior to release.																																															
WT2	Contaminants must only be released to surface waters where they: (a) are from the discharge locations; and (b) meet the release limits for each indicator; and (c) are monitored at the monitoring point and at the frequency; as stated in Table 2 - Contaminant Release Limits to Water from the Sewage Treatment Plant. Table 2 – Contaminant Release Limits to Water from the Sewage Treatment Plant <table><tr><th rowspan="2">Monitoring Point</th><th rowspan="2">Discharge Location</th><th rowspan="2">Quality Characteristics</th><th colspan="2">Release Limit</th><th rowspan="2">Monitoring Frequency</th></tr><tr><th>Minimum</th><th>Maximum</th></tr><tr><td rowspan="8">Outlet from the sewage treatment plant</td><td rowspan="8">-20.06362, 148.88342</td><td>pH</td><td>6</td><td>8.5</td><td>Daily when discharging</td></tr><tr><td>Dissolved Oxygen</td><td>2</td><td></td><td>Daily when discharging</td></tr><tr><td>5 day Biological Oxygen Demand (mg/L)</td><td></td><td>20</td><td>Monthly when discharging</td></tr><tr><td>Total Nitrogen</td><td></td><td>10</td><td>Monthly when discharging</td></tr><tr><td>Total Phosphorous (mg/L)</td><td></td><td>2</td><td>Monthly when discharging</td></tr><tr><td>Total Suspended Solids (mg/L)</td><td></td><td>30</td><td>Monthly when discharging</td></tr><tr><td>Faecal Coliforms (colony forming units 100mL)</td><td></td><td>1000</td><td>Monthly when discharging</td></tr><tr><td>Chlorine (mg/L)</td><td></td><td>0.2</td><td>Monthly when discharging</td></tr></table>						Monitoring Point	Discharge Location	Quality Characteristics	Release Limit		Monitoring Frequency	Minimum	Maximum	Outlet from the sewage treatment plant	-20.06362, 148.88342	pH	6	8.5	Daily when discharging	Dissolved Oxygen	2		Daily when discharging	5 day Biological Oxygen Demand (mg/L)		20	Monthly when discharging	Total Nitrogen		10	Monthly when discharging	Total Phosphorous (mg/L)		2	Monthly when discharging	Total Suspended Solids (mg/L)		30	Monthly when discharging	Faecal Coliforms (colony forming units 100mL)		1000	Monthly when discharging	Chlorine (mg/L)		0.2	Monthly when discharging
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WT3	The daily volume of contaminants released to waters must be determined or estimated by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.																																															

WT4	A groundwater monitoring program (GWMP) must be: (a) designed by an appropriately qualified person(s) to monitor the effects of the activity on groundwaters; and (b) undertaken annually by an appropriately qualified person(s).																
WT5	The GWMP required by condition WT5 must include: (a) clearly stated aims and objectives; and (b) a monitoring program that is developed using the latest version of the administering authority's guideline <i>Using monitoring data to assess groundwater quality and potential environmental impacts</i>, and include details of the following: (i) groundwater flow characteristics; and (ii) contaminants of concern; and (iii) groundwater-surface water interaction; and (iv) the spatial extent of the monitoring program, including the location of monitoring bores; and (v) the temporal context of the monitoring program, including timing and frequency of sampling.																
WT6	An appropriately qualified person must install groundwater monitoring bores that enable monitoring from: (a) the uppermost aquifer; and (b) hydraulically up-gradient bore(s) or background bore(s) of the activity; and (c) hydraulically down-gradient bore(s) of the activity.																
WT7	The GWMP required by condition WT5, must include: (a) measurements and recording of standing groundwater levels; and (b) groundwater samples analysed for water quality parameters required in Table 4 – Groundwater Quality Monitoring Characteristics. Table 4 – Groundwater Quality Monitoring Characteristics <table><tr><th>Quality Characteristics</th><th>Units</th><th>Monitoring Frequency</th></tr><tr><td>pH</td><td>pH units</td><td rowspan="6">Annually</td></tr><tr><td>Electrical Conductivity</td><td>µS/cm</td></tr><tr><td>Total Nitrogen (as N)</td><td>mg/L</td></tr><tr><td>Total Phosphorus (as P)</td><td>mg/L</td></tr><tr><td>Major ions, including Calcium, Chloride, Potassium, Magnesium, Sodium, Sulphate, Bicarbonate, and Carbonate</td><td>mg/L</td></tr><tr><td>E. coli</td><td>CFU/100mL</td></tr></table>	Quality Characteristics	Units	Monitoring Frequency	pH	pH units	Annually	Electrical Conductivity	µS/cm	Total Nitrogen (as N)	mg/L	Total Phosphorus (as P)	mg/L	Major ions, including Calcium, Chloride, Potassium, Magnesium, Sodium, Sulphate, Bicarbonate, and Carbonate	mg/L	E. coli	CFU/100mL
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Major ions, including Calcium, Chloride, Potassium, Magnesium, Sodium, Sulphate, Bicarbonate, and Carbonate	mg/L																
E. coli	CFU/100mL																
Agency interest: Noise																	
Condition number	Condition																

N1	Noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place .			
Agency interest: Waste				
Condition number	Condition			
WS1	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.			
Agency interest: Land				
Condition				
L1	The only contaminants permitted to be released to land are treated sewage effluent to lawns, parks and gardens at Hayman Island Resort (excluding any necessary buffers), in compliance with the limits stated in Table 3 — Contaminant Release Limits to Land .			
	Table 3 - Contaminant Release Limits to Land			
	Quality Characteristics	Units	Release Limit	
			Minimum	Maximum
	pH	Scale	6.5	8.5
	Total Nitrogen	mg/L		20
	Total Phosphorus	mg/L		10
	E.coli	Colony forming units/100mL		10
Major ions, including Calcium, Chloride, Potassium, Magnesium, Sodium, Sulphate, Bicarbonate, and Carbonate	mg/L	-	-	
L2	Treated effluent released to land under condition L1 must be monitored in accordance with Table 2 – Monitoring of treated effluent release to irrigation area and comply with the associated requirements.			
	Table 2 - Monitoring of treated effluent release to irrigation area			
	Monitoring Point	Quality Characteristic (units)	Minimum monitoring frequency	
	-20.05958, 148.88162	Volume (Litres)	Daily	
Total Nitrogen (TN) (mg/L as N)		Monthly		

	Total Phosphorus (mg/L as P)	Monthly
	pH (pH units / scale)	Monthly
	E.coli (Colony forming units/100mL /100ml)	Monthly
	Major ions, including Calcium, Chloride, Potassium, Magnesium, Sodium, Sulphate, Bicarbonate, and Carbonate	Annually
Associated requirements - Monitoring must be undertaken when treated sewage effluent is being irrigated, unless irrigation has ceased for longer than the relevant parameters specified minimum frequency (e.g. if TN was only required to be monitored once a week, then a TN sample would not be required after the first week following cessation of the release). - Volume of release must be calculated based on the total irrigation area when irrigating the maximum volume - or worked out for the area of application, based on the actual volume irrigated.		
L3	The daily volume of contaminants released to land must not exceed 500,000 litres in any one day.	
L4	A minimum wet weather storage capacity of 370,000 litres must be provided.	
L5	Treated effluent released to land must be done in accordance with documentation that ensures: - drainage to groundwater and subsurface flows of contaminants to surface waters are prevented; and - surface pondage and run-off of effluent is prevented; and - degradation of soil structure is minimised; and - soil sodicity and the build-up of nutrients and heavy metals in the soil and subsoil are minimised; and - spray drift or overspray does not carry beyond effluent disposal areas; and - effluent disposal areas are maintained with an appropriate crop in a viable state for transpiration and nutrient uptake; and - sufficient buffer zones are maintained between irrigation sites and sensitive environmental receptors.	
L6	An Irrigation Monitoring Program (IMP) must be: - designed by an appropriately qualified person(s) to monitor the effects of the activity on land; and - undertaken annually by an appropriately qualified person(s).	
L7	The IMP required by condition L6 must include taking of soil and sub-soil samples from: - at least one (1) reference site; and - at least two (2) locations within the effluent disposal area.	

L8	Monitoring undertaken in accordance with condition L7 must include: (a) soil type; and (b) soil structure; and (c) pH; and (d) phosphorous adsorption capacity; and (e) nutrient status; and (f) salinity; and (g) sodicity; and (h) exchangeable sodium percentage; and (i) salinity leaching fraction; and (j) cation exchange capacity.
L9	A IMP monitoring report must be prepared by an appropriately qualified person(s) and submitted to the administering authority with the annual monitoring report as required under condition G11.
L10	The IMP monitoring report required by condition L9 must include: (a) a summary of the previous 12 months monitoring data obtained in accordance with all of the monitoring requirements of this environmental authority; and (b) an evaluation of the data from any monitoring programs, including graphical representations showing relevant limits, triggers and trends against all historical data; and (c) a description of all actions taken, and proposed to be taken, to minimise the environmental risk from any deficiency identified by any relevant monitoring and management program(s).
L11	The IMP monitoring report required by condition L9 must include recommendations of appropriate action(s) to mitigate any adverse impacts caused, or likely to be caused, by the activity .
L12	The action(s) recommended under condition L11 in the IMP monitoring report must be undertaken as soon as practicable within 14 days , or another period with written agreement with the administering authority .

Definitions

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.

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 successor or predecessors.

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

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 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 under Chapter 1 of the *Environmental Protection Act 1994*.

Environmental value as defined under Chapter 1 of the *Environmental Protection Act 1994*.

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

Land does not include waters.

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

Monitor, monitored and monitoring means monitoring the impact of an **activity** on the receiving environment and includes analysing, assessing, examining, inspecting, measuring, modelling or reporting any of the following matters—

- (a) the quantity, quality, characteristics, timing and variability of the release of any contaminant; and
- (b) the effectiveness of any control measure; and
- (c) the characteristics of, and impact on, the receiving environment; and
- (d) the effectiveness of remedial or rehabilitation measures (if applicable to the relevant monitoring requirement).

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:

- (a) deposit, discharge, emit or disturb the contaminant; or
- (b) cause or allow the contaminant to be deposited, discharged, emitted or disturbed; or
- (c) fail to prevent the contaminant from being deposited, discharged emitted or disturbed; or
- (d) allow the contaminant to escape; or
- (e) 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 any of the following places:

- (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 thoroughfare, park or gardens; or
- (g) for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2019*; or
- (h) the area within the curtilage of any of the above places.

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.

END OF ENVIRONMENTAL AUTHORITY