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DISPATCHED
19 JUL 2012
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Item Id 045234
NOR / 1758409

Item Id 3093370
101 / 0011458

Notice

Environmental Services and Regulation

Decision — permit[1] application

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

Colonial Leisure Group Pty Ltd
714 Main Road
ELTHAM VIC 3095

Attention: Mr Chris Morris
Email: manager@orpheus.com.au

Your reference : ENRE04112512
Our reference : 362390

Re: Decision made in relation to your application under environmental legislation administered by the Department of Environment and Heritage Protection (EHP).

The Department of Environment and Heritage Protection has assessed your application for a Registration Certificate and wishes to advise you of the decision in regard to the application as specified below:

Application for	Reg Certificate No.	Decision
Registraion uncer *Environmental Protection Act 1994*	ENRE04112512	Granted

A copy of the development approval SPDE01817911 is attached for your records.

NOTE: A registration certificate will remain in force and annual returns and fees will be applicable until such time as the operator surrenders or an application is received and issued for a continuing registration to another operator.

SURRENDERING A REGISTRATION CERTIFICATE

Section 73O of the *Environmental Protection Act 1994* (the Act) provides for a registered operator to surrender their registration certificate.

The application must be in writing and accompanied by:-

(c) (i) an audit statement advising the extent to which activities carried out under the development approval or the relevant code of environmental compliance have complied with the development conditions of the approval of the standard environmental conditions of the code; and
(ii) the fee prescribed under a regulation.

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

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

SALE OF BUSINESS

Before agreeing to dispose of the business, the registered operator must give the proposed buyer written notice that the proposed transferee must apply for a continuing registration certificate as stated in section 73Q of the Act.

If you require more information, please contact the Department of Environment and Heritage Protection at the below contact details.

Scott Sullivan
Delegate
Department of Environment and Heritage Protection

Date: 18-JULY-2012

Enquiries:

Department of Environment and Heritage Protection
Cape Pallarenda Conservation Park
Cape Pallarenda Road, Townsville Q 4810
PO Box 5318, Townsville Q 4810

Environmental Services and Regulation
Northern Region
Telephone: 07 4722 5353 Fax: 07 4722 5351

Registration certificate

No: ENRE04112512

This registration certificate is issued by the administering authority and takes effect from: 18-JULY-2012.
The anniversary day for the purposes of the Annual Return is: 18 JULY.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities listed below at the following place subject to the conditions set out in a development approval attached to the premises, or the relevant code of environmental compliance.

REGISTERED OPERATOR:-

Colonial Leisure Group Pty Ltd
Orpheus Island
714 Main Road
ELTHAM VIC 3095

DEVELOPMENT APPROVAL NUMBER:-

SPDE01817911

PLACE:-

Lot 16 Plan CWL3535

LOCATED AT:-

Orpehus Island, QLD

REGISTERED ACTIVITIES: -

ERA 63 Sewage treatment Threshold 2(a) - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of 21 to 100EP (i) if treated effluent is discharged to an infiltration trench or through an irrigation scheme

ERA 8 Chemical storage Threshold 3(a) - storing 10m3 to 500m3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3

Delegate
Department of Environment and Heritage Protection
Environmental Protection Act 1994
18-JULY-2012

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

Item Id 3093350
101 / 0011458

(P5)

Item Id 1373885
NOR / 045234

Department of Environment and Resource Management

Sustainable Planning Act 2009

DERM Permit [1] number: SPDE01817911

Assessment manager reference (if any):	362390
Date application received:	13-APR-11
Permit type:	Development permit
Date of decision:	04-NOV-2011
Decision:	approved subject to conditions, and the assessment manager's conditions are stated in this permit
Relevant laws and policies:	*Environmental Protection Act 1994* and any related statutory instruments and subordinate legislation
Jurisdiction(s):	Material change of use of premises – For an environmentally relevant activity Sustainable Planning Regulation 2009 - Schedule 3, Part 1, Table 2, item 1

Development Description(s)

Property/Location		Development
Orpheus Island Resort, Orpheus Island QLD	Lot 16 on Plan CWL3535	**ERA 63 Sewage Treatment** Threshold 2(a)(i) operating sewage treatment works, other than no-release works, with a total daily peak design capacity of 21 to 100EP **ERA 8 Chemical Storage** (3)(a) storing the following total quantity of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3 under subsection (1)(c)

[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.

Reason(s) for inclusion of conditions

In accordance with section 289 of the Sustainable Planning Act 2009, the reason(s) for inclusion of conditions stated in this permit required by the assessment manager are as follows:

The conditions are included pursuant to section 73B of the *Environmental Protection Act 1994.*

Delegate

Delegate, Chief Executive administering the
Environmental Protection Act 1994
Department of Environment and Resource Management
04-NOV-2011

CONDITIONS

General

G1 This development approval authorises the operation of a sewage treatment works with a peak design capacity of 45 equivalent persons (based on a wastewater generation rate of 200L/ep/day) to treat up to 9,000L of sewage generated per day.

Prevent and/or Minimise Likelihood of Environmental Harm

G2 In carrying out an ERA to which this development approval relates, all reasonable and practicable measures must be taken to prevent and/or to minimise the likelihood of environmental harm being caused.

G3 **Maintenance of Measures, Plant and Equipment**

The registered operator of the ERA to which this development approval relates must:

- install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; 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.

G4 **Alterations**

No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided for by this development approval.

G5 **Records**

Record, compile and keep all monitoring results and reports required by this development approval and present any monitoring results or reports to the administering authority when requested.

G6 All records required by this development approval must be kept for at least five (5) years.

G7 **Site Based Management Plan**

A Site Based Management Plan (SBMP) must be implemented that provides for the effective management of the actual and potential environmental impacts resulting from the carrying out of the activity to which this development approval relates. Documentation relating to the SBMP must be kept.

G8 The Site Based Management Plan must provide for at least the following functions:

- Staff training in awareness of the environmental issues related to the activities and operational procedures and responsibilities for minimising potential impacts;
- An environmental policy and commitments to best practice environmental management of the activities including specific performance targets and objectives;
- Control procedures to be implemented for routine operations for day to day activities to minimise the likelihood of environmental harm, however occasioned or caused;
- Contingency plans and emergency procedures to be implemented for non-routine situations to deal with foreseeable risks and hazards, including corrective responses to prevent and mitigate environmental harm (including any necessary site rehabilitation);
- Organisational structure and responsibility to ensure that roles, responsibilities and

authorities are appropriately defined to ensure effective management of environmental issues;

- Effective communication procedures to ensure two-way communication on environmental matters between operational staff and higher management;
- Monitoring of contaminant releases to the environment including procedures, methods and record keeping and investigation into the environmental impact of any release that causes or is likely to cause serious or material environmental harm;
- A Stormwater Management Plan which has the objective of avoidance and minimisation of contaminated stormwater;
- The periodic review of environmental performance and procedures, not less frequently than annually; and
- A program for continuous improvement.

G9 The Site Based Management Plan must not be implemented or amended in a way that contravenes any condition of this development approval.

G10 **Incident Recording**

Maintain records of the time, date and duration of equipment malfunctions, where the failure results, or is reasonably likely to result, in the release of contaminants which causes environmental harm.

G11 **Notification**

Notify the administering authority as soon as practicable after becoming aware of any release of contaminants that occurs other than in accordance with the conditions of this development approval, or any event where environmental harm is caused or threatened.
Please Note: The DERM Pollution Hotline (1300 130 372) is the most appropriate contact for pollution incidents.

G12 Written advice detailing the following information must be provided to the administering authority within fourteen (14) days following any notification in accordance with condition General 10:

1. The name of the operator, including their approval / registration certificate number;
2. The name and telephone number of a designated contact person;
3. The quantity and substance released;
4. The location of the release/event;
5. The time of the release/event;
6. The time the registered operator became aware of the release/event;
7. The suspected cause of the release/event;
8. A description of the resulting effects of the release/event;
9. The results of any sampling performed in relation to the release/event;
10. Actions taken to mitigate any environmental harm (including environmental nuisance) caused by the release/event; and
11. Proposed actions to prevent a recurrence of the release/event.

G13 **Spill Kit**

An appropriate spill kit, personal protective equipment and relevant operator intructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site.

G14 **Spill Kit training**

Anyone operating under this approval must be trained in the use of the spill kit.

G15 **Monitoring**

A competent person(s) must conduct any monitoring required by this development approval.

G16 **Equipment calibration**

All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this development approval must be calibrated, and appropriately operated and maintained.

G17 **Sample Analysis**

All analysis and tests required to be conducted under this development approval must be carried out by a laboratory that has NATA certification for such analysis and tests, except as otherwise authorised by the administering authority.

G18 **Water and Wastewater Quality Sampling**

All water and wastewater quality sampling must be done in accordance with methods prescribed in the latest edition of the Environment Protection Agency Water Quality Sampling Manual

G19 **Competency**

Ensure that the operation and maintenance of all plant and equipment is carried out by or under the supervision of a person competent to operate and maintain the plant and equipment.

G20 **Backup Power Supply**

A backup power supply of a capacity sufficient to maintain operation of the sewage treatment works must be available in the event that normal power supply is interrupted.

Agency Interest: Air

A1 **Nuisance**

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 nuisance sensitive or commercial place.

A2 When requested by the administering authority, monitoring must be undertaken to investigate any complaint of environmental nuisance caused by a release to the atmosphere, and the results thereof notified to the administering authority within 14 days following completion of monitoring.

Agency Interest: Land

L1 **Land Disposal**

The only contaminants permitted to be released to land are treated sewage effluent to the areas shown in Attachment 1: Map Number 1 of Irrigation Area and Attachment 2: Map Number 2 of Irrigation Area.

L2 Treated sewage effluent released to land with uncontrolled access and surface irrigation must be in compliance with limits of Table 1. Contaminant Release Limits to Land (uncontrolled access Class A).

L3 Treated sewage effluent released to land through surface irrigation on areas with controlled access or through subsurface irrigation on other land must be in compliance with limits Table 2. Contaminant Release Limits to Land (controlled access Class C).

L4 Monitor and keep records of the quality of effluent released to land for the parameters at the monitoring point, and at the frequency specified in Table 1. Contaminant Release Limits to Land (Class A) and/or Table 2. Contaminant Release Limits to Land (controlled access Class C).

Table 1. Contaminant Release Limits to Land (uncontrolled access Class A)

Monitoring Point	Quality Characteristic	Release Limit				Monitoring Frequency
		Minimum	Median	80th Percentile	Limit	
Outlet from treated effluent tank	BOD5 (mg/L)	-	20		30	Quarterly
	Dissolved Oxygen (mg/L)	2	-	-	-	Weekly
	pH	6.5	-	-	8.5	Weekly
	Suspended Solids (mg/L)	-	5	-	20	Quarterly
	Total Nitrogen (mg/L)	-	-	-	30	
	Total Phosphorous (mg/L)	-	-	-	15	
	*E.Coli (CFU/100ml)	-	<10	200	-	Monthly

*From a minimum of five (5) samples, taken at not less than half-hourly intervals in any one day.

Table 2. Contaminant Release Limits to Land (controlled access Class C)

Monitoring Point	Quality Characteristic	Release Limit				Monitoring Frequency
		Minimum	Median	80th Percentile	Limit	
Outlet from treated effluent tank	BOD5 (mg/L)	-	20	-	40	Quarterly
	Dissolved Oxygen (mg/L)	2	-	-	-	Weekly
	pH	6.5	-	-	8.5	Weekly
	Suspended Solids (mg/L)	-	30	-	60	Quarterly
	Total Nitrogen (mg/L)	-	-	-	30	
	Total Phosphorous (mg/L)	-	-	-	15	
	*E.Coli (CFU/100ml)	-	<1000	4000	-	Monthly

* From a minimum of five (5) samples, taken at not less than half-hourly intervals in any one day.

L6 A minimum area of 4,500 square meters of land, excluding any necessary buffer zones, must be utilised for the irrigation of treated effluent. Application of effluent must be at a volume of no more than 9,000L per day.

L7 The irrigation of effluent must be carried out in a manner such that:

a) vegetation is not damaged;
b) soil erosion and soil structure damage is avoided;
c) there is no surface ponding of effluent;
d) percolation of effluent beyond the plant root zone is minimised;
e) the capacity of the land to assimilate nitrogen, phosphorus, salts, organic matter as measured by oxygen demand and water is not exceeded; and
f) the quality of ground water is not adversely affected.

L8 Notices must be prominently displayed on areas undergoing effluent irrigation, warning the public that the area is irrigated with treated effluent and not to use or drink the effluent. These notices must be maintained in a visible and legible condition.

L9 The daily volume of contaminants released to land must be determined or estimated by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.

L10 A minimum of 7 days of wet weather storage must be available to store treated effluent when conditions prevent irrigation.

L11 **Contaminant and sewage pump station**

Contaminant pumping stations must be fitted with stand-by pumps and pump-failure alarms as well as high level alarms to warn of imminent pump station overflow. All alarms must be able to operate on the back-up power supply.

L12 Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable to prevent such spills entering the stormwater system. Such spillages must be cleaned in a manner which prevents the release of wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

L13 **Containment of Chemicals, Fuels and Other Liquid Contaminants**

All chemicals, fuels and other liquid contaminants must be contained within an on-site containment system and controlled in a manner that prevents environmental harm, and in accordance with AS1940 – Storage and Handling of Flammable and Combustible liquids.

Agency Interest: Noise

N1 **Noise Nuisance**
Noise must not cause an environmental nuisance at any nuisance sensitive place or commercial place

N2 **Noise Monitoring**
When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:

- LA 10, adj, 10 mins
- LA 1, adj, 10 mins
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

N3 The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

Agency Interest: Social

S1 **Complaint Response**

Record the following details for all complaints received and provide this information to the administering authority on request:

(a) time, date, name and contact details of the complainant;
(b) reasons for the complaint;
(c) any investigations undertaken;
(d) conclusions formed; and
(e) any actions taken.

Agency Interest: Waste

W1 Waste must not be released to the environment, stored, transferred or disposed contrary to any condition of this development approval.

W2 Sludge generated by the sewage treatment process must not be:

1. Disposed on site; or
2. Stored on site for any period of time longer than necessary to dewater the sludge and prepare it for transport to a facility lawfully able to accept such wastes.

W3 **Waste Handling**

All regulated waste removed from the site must be removed by a person that holds a current approval to transport such waste in accordance with the provisions of the *Environmental Protection Act 1994.*

W4 **Off-site Movement of Regulated Waste**

Where regulated waste is removed from the site, the registered operator 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 and destination of the waste.

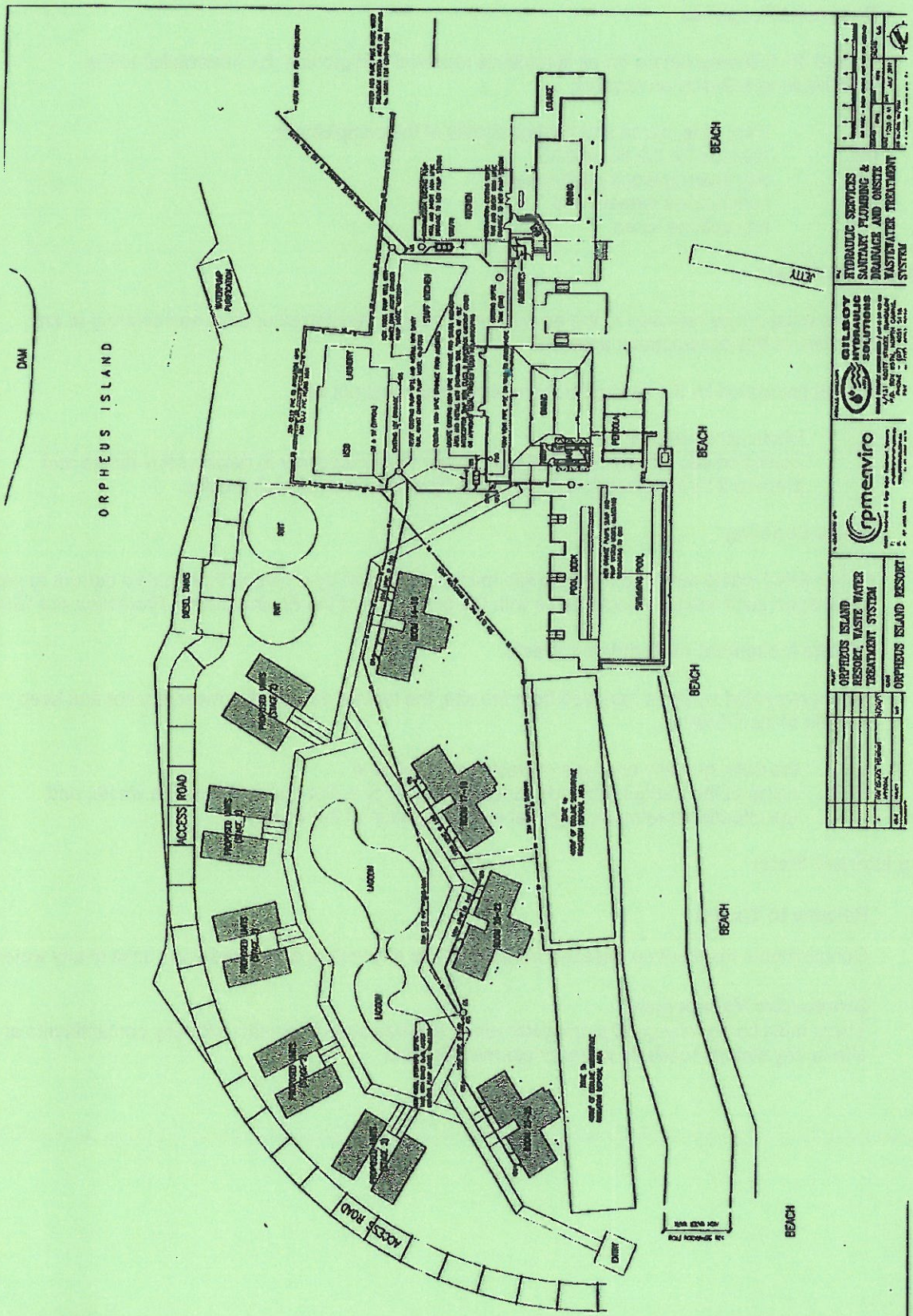
Agency Interest: Water

WA1 **Release to Waters**

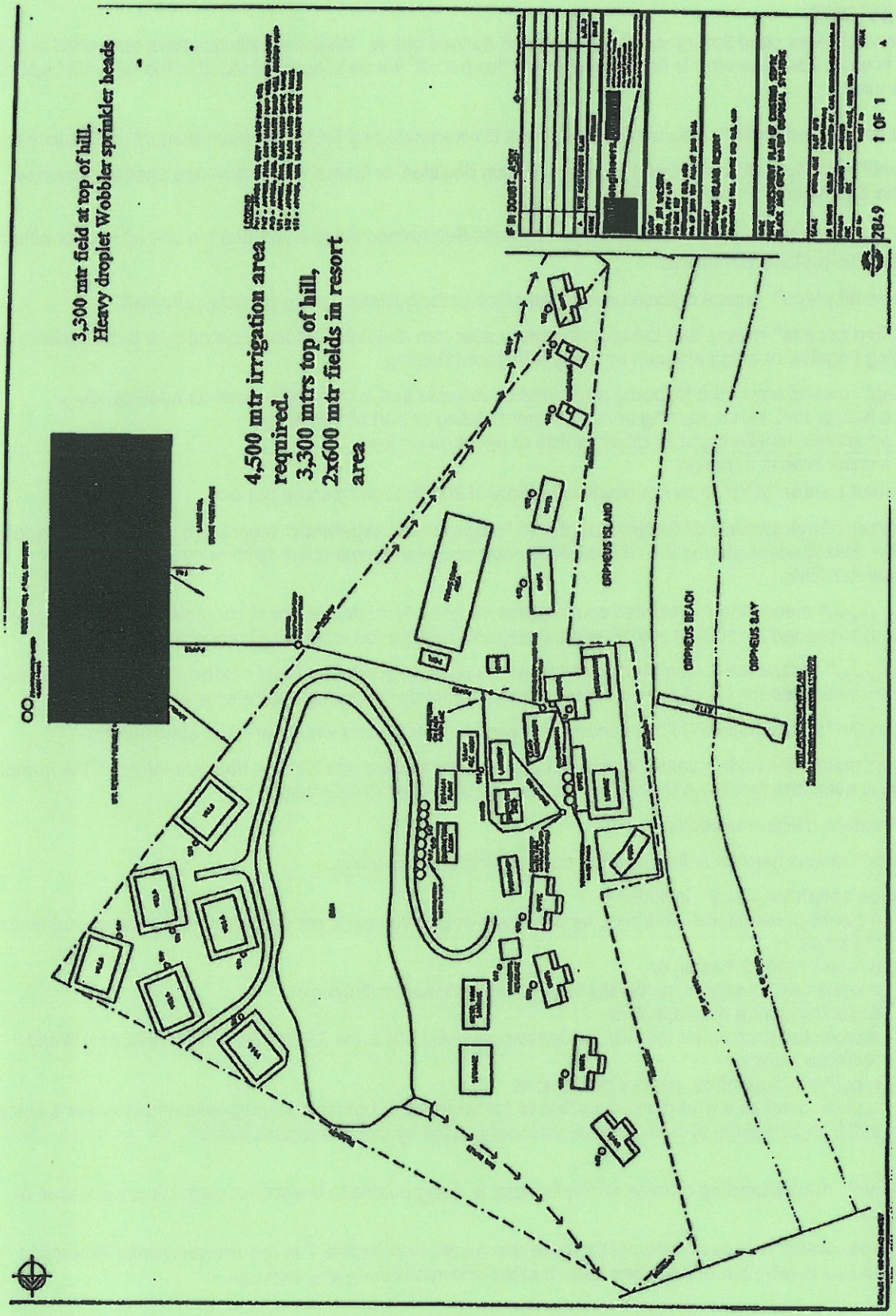
Contaminants must not be released from the site to any waters or the bed and banks of any waters.

WA2 **Stormwater Management**
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.

Attachment 1: Map Number 1 of Irrigation Area



Attachment 2: Map Number 2 of Irrigation Area



DEFINITIONS

Words and phrases used throughout this permit[1] are defined below. Where a definition for a term used in this permit[1] is sought and the term is not defined within this permit[1] the definitions provided in the relevant legislation shall be used.

"administering authority" means the Department Environment and Resource Management or its successor.

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Sustainable Planning Act 2009*.

"BOD5" means the 5 day biochemical oxygen demand determined using a test sample uninhibited for either carbonaceous material or nitrogen.

"commercial place" means a place used as an office or for business or commercial purposes.

"controlled access" means that the recycled water user can maintain effective control over public access to an area being irrigated or being affected by spray drift from irrigation.

"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.

"equivalent person (EP)" means a wastewater flow of 200 litres per person per day.

"Department Environment of Environment and Resource Management" means the department or agency (whatever called) administering the *Coastal Protection and Management Act 1995* or the *Environmental Protection Act 1994*.

"$L_{A\ 10,\ adj,\ 10\ mins}$" 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.

"$L_{A\ 1,\ adj,\ 10\ mins}$" 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.

"land" in the "land schedule" of this document means land excluding waters and the atmosphere.

"median" means the middle value, where half the data are smaller and half the data are larger. If the number of samples is even, the median is the arithmetic average of the two middle values.

"mg/L" means milligrams per litre.

"noxious" means harmful or injurious to health or physical well being.

"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.

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

"regulated waste" means non-domestic waste mentioned in Schedule 7 of *the Environmental Protection Regulation 2008* (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

"site" means land or tidal waters on or in which it is proposed to carry out the development approved under this development approval.

"total nitrogen" means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen, which must be reported separately, expressed as mg/L as Nitrogen.

"total phosphorus" means the sum of the reactive phosphorus, acid-hydrolysable phosphorus and organic phosphorus, as mg/L of Phosphorus. This includes both the inorganic and organic fraction of phosphorus.

"uncontrolled access" means that the recycled water user does not maintain effective control over public access to an area being irrigated or being affected by spray drift from irrigation.

"watercourse" means a river, creek or stream in which water flows permanently or intermittently-

- in a natural channel, whether artificially improved or not; or
- in an artificial channel that has changed the course of the watercourse.

"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.

"80th percentile" means not more than one (1) of the measured values of the quantity characteristic is to exceed the stated limit for any five (5) consecutive samples for a sampling point at any time during the sampling event.

END OF CONDITIONS