

COPY

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE00811308

This registration certificate is issued by the administering authority and takes effect from: 14-JUL-2011.

The anniversary day for the purposes of the Annual Return remains: 21 November.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity 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:-

Hinchinbrook Resorts and Cruises Pty Ltd
Trading as Hinchinbrook Resorts and Cruises
C/- 'PKF on Lawson' Suite 1308
Level 3, 1 Lawson Street,
SOUTHPORT QLD 4215

Development Approval Number: IPDE01307608

Place:-

Lot 4 Plan CWL3399

Located at:-

Cape Richards, HINCHINBROOK ISLAND QLD 4849

Registered Activity: -

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

C. C. But

Cathy Birt
Delegate
Department of Environment and Resource Management
Environmental Protection Act 1994

14-JUL-2011

2903



**Environmental
Protection
Agency**

COPY

Old Quarantine Station • PALLARENDA, Queensland • PO Box 5391 • TOWNSVILLE QLD 4810 • AUSTRALIA
Telephone 07-47225353 • Facsimile 07-47225351 • www.env.qld.gov.au

Enquiries J. Callaghan
Telephone 07-47225353
Your reference
Our reference TSV293 (NR333)

Mr William Whiteman
Hinchinbrook Island Resort Pty Ltd
C/- Hinchinbrook Island Ferries
Front Street
Port Hinchinbrook Marina
CARDWELL 4849

Dear Sir

Application for Environmental Authority

I refer to the application made by Hinchinbrook Island Resort Pty Ltd for an environmental authority under the *Environmental Protection Act 1994*.

A decision has been made under s45 of the *Environmental Protection Act 1994* to issue a licence to carry out the following environmentally relevant activity:

15(a) sewage treatment

Please find attached a copy of the licence which takes effect from 20 November 2000 and has an anniversary date of 20 November each subsequent year.

Information relating to a review of, or appeal against, this decision under the Act is attached.

Should you have any questions regarding this matter, please contact the officer listed above.

Yours faithfully


.....
Ken McKeon
District Manager, Townsville
EPA (Northern)

date31/10/00.....

Entered/Validated In Ecotrack 2.7.05
Project Reference 223565
Development Approval # _____
Registration Certificate # _____
This version amended on _____
Cancelled/Surrendered/Transferred Date: _____
Continuing Registration # _____

Extracts from the Act Regarding Reviews and Appeals

Procedure for review

202.(1) A dissatisfied person may apply for a review of an original decision.

- (2) The application must-
 - (a) be made in the approved form to the administering authority within-
 - (i) 14 days after the day on which the person receives notice of the original decision or the administering authority is taken to have made the decision (the "review date"); or
 - (ii) the longer period the authority in special circumstances allows not later than the review date; and
 - (b) supported by enough information to enable the authority to decide the application.
- (3) The applicant must give the following documents to the other persons who were given notice of the original decision-
 - (a) notice of the application (the "review notice"); and
 - (b) a copy of the application and supporting documents.
- (4) The review notice must inform the recipient that submission on the application may be made to the administering authority within 7 days after the application is made to the authority.
- (5) If the administering authority is satisfied the applicant has complied with subsection (2) and (3), the authority must-
 - (a) review the original decision; and
 - (b) make a decision (the "review decision") to-
 - (i) confirm or revoke the original decision; or
 - (ii) vary the original decision in a way the administering authority considers appropriate.
- (6) The application does not stay the original decision.
- (7) The application must not be dealt with by-
 - (a) the person who made the original decision; or
 - (b) a person in a less senior office than the person who made the original decision.
- (8) Within 14 days after making the decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.
- (9) The notice must-
 - (a) include the reasons for the review decision; and
 - (b) inform the person of their right of appeal against the decision.
- (10) If the administering authority does not comply with subsection (8) within 14 days after receiving the application, the authority is taken to have made a decision at the end of the period confirming the original decision.
- (11) Subsection (7) applies despite section 27A(7) of the *Acts Interpretation Act 1954*.
- (12) This section does not apply to an original decision made by-
 - (a) for a matter, the administration and enforcement of which has been devolved to a local government - the local government itself or the chief executive officer of the local government personally; or
 - (b) for another matter-the chief executive personally.

Who may appeal

- 204.(1) A dissatisfied person who is dissatisfied with a review decision may appeal against the decision to the Court.
- (2) The chief executive may appeal against another administering authority's decision (whether an original or review decision) to the Court.
- (3) A dissatisfied person who is dissatisfied with an original decision to which section 202 (Procedure for review) does not apply may appeal against the decision to the Court.

NOTES

1) Notice of Other Duties

Please note that in addition to this environmental authority, you may have obligations at law under the Environmental Protection Act (for example, compliance with Environmental Protection Policies), the Contaminated Land Act and other obligations at law created by the Federal, State and Local Governments.

2) Environmental Duties under the Environmental Protection Act

The Environmental Duties under the Environmental Protection Act are as follows:

- Section 36(1) provides that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm (the "general environmental duty").
- Section 37 requires that a person who becomes aware that serious or material environmental harm is caused or threatened by an activity they are involved in, has a duty to report that harm. Employees have a duty to report the harm to their employer who then assumes the duty to notify the administering authority. Where an employer cannot be contacted the person must notify the administering authority. People are exempt from this requirement if the harm is occurring under an environmental protection policy, an environmental management program, an environmental protection order, an environmental authority or a direction from an authorised person in an emergency.

3) Amendment of a Licence

Section 49 of the Act provides for the licensee to be able to apply for an amendment of their licence. Examples where an application for a licence amendment should be submitted are:

If the licensee proposes to:

1. carry out an activity at a site which is not authorised by the licence, or
2. change the number or types of activities; or
3. increase the scale of a currently licensed activity; or
4. significantly change the way in which the activity/activities are operated, such that the licence conditions cannot be complied with.

4) Sale of a Licensee's Business

Section 53 of the Act applies if a licensee proposes to dispose of the business to someone else. Before agreeing to dispose of the business, the licensee must give written notice to the buyer that the buyer must make application under this Act for the transfer of the licence or for a new licence.

5) Ceasing to carry out the licensed activity

Section 54 of the Act provides that within 14 days after ceasing the environmentally relevant activity to which this licence relates, the licensee must give written notice of the ceasing of the activity to the administering authority.

Licence No. NR333

Section 45(1)

Under the provisions of the *Environmental Protection Act 1994* this environmental authority is issued:

To: Hinchinbrook Island Resort Pty Ltd

Address: C/- Hinchinbrook Island Ferries
Front Street, Port Hinchinbrook Marina, Cardwell

in respect of carrying out the environmentally relevant activities:

15. Sewage treatment—operating—
(a) a standard sewage treatment works having a peak design capacity to treat sewage of 21 or more equivalent persons but less than 100 equivalent persons

being carried out at premises on land describes as:

Lot 4, Plan CWL3399, County of Cardwell, Parish of Hecate

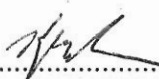
located at

Cape Richards, Hinchinbrook Island

This environmental authority is issued subject to the conditions set out in the schedules attached to this environmental authority.

This environmental authority takes effect from 20 November 2000 and has an anniversary date of 20 November each year.

signed


.....
Ken McKeon
Delegate of Administering Authority
Environmental Protection Act

date

.....31/10/00.....

This environmental authority consists of the following schedules:

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule F - Noise

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I - Definitions

Section 45

SCHEDULE A - GENERAL CONDITIONS

Access to Copy of Environmental Authority

- (A1) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.
- (A2) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed premise for a period of at least five (5) years and be available for examination by an authorised person. For daily and weekly records, the record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

- (A3) 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 by this environmental authority.

An example of a substantial increase in the risk of environmental harm is an increase of 10% or more in the quantity of the contaminant to be released into the environment.

Monitoring and Measurements

- (A4) All determinations of the quality of contaminants released to the environment and all measurement and reporting of noise levels that are required by this environmental authority must be undertaken by a person possessing qualifications and/or appropriate experience and to perform the required determinations and the required measurements.
- (A5) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.

Competency

- (A6) The holder of this environmental authority shall ensure that the operation of all plant and equipment used in carrying out the licensed activities is carried out by or under the supervision of a person who is:
 - (a) appropriately trained or qualified to operate such plant and equipment; and
 - (b) familiar with the provisions of this environmental authority as they relate to the tasks of that person.

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Security

- (A7) The holder of this environmental authority must ensure that the sewage treatment plant, and all areas to dry and compost waste sludge are properly secured to prevent unauthorised access at all times.

Pump/Valve Failure

- (A8) Pump stations and valves that would be likely to result in a direct or indirect release of contaminants to land or waters in the event of failure must be fitted with stand-by pumps and failure alarms. Such alarms must be able to operate without mains power if such power failure occurs and, when in operation, must be detectable in the nearest inhabited building.

End of Conditions for Schedule A

Section 45

SCHEDULE B - AIR

Noxious or Offensive Odour

- (B1) The Sewage Treatment Plant shall be managed in a manner such that odour emissions do not cause environmental nuisance.
- (B2) Upon receipt of a complaint regarding the emission of odour the holder of this environmental authority must, within a reasonable period of time implement odour abatement measures until emissions of odour from the activity do not result in further environmental nuisance beyond the boundary of the licensed premises.

End of Conditions for Schedule B

Section 45

SCHEDULE C - WATER

Release of Contaminants to Waters

- (C1) Contaminants must not be directly or indirectly released from the licensed premises to any waters or the bed and banks of any waters except as otherwise permitted by a condition of this environmental authority.

End of Conditions for Schedule C

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SCHEDULE D - STORMWATER MANAGEMENT

Spillage Control

- (D1) Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable and disposed of to a facility lawfully able to accept such waste. Such spillage must not be cleaned up by hosing, sweeping or by any other methods that release wastes, contaminants or materials to any stormwater drainage system, waters and/or the bed or banks of any waters.

Sludge Handling

- (D2) The removal and storage of sludges from the sewage treatment plant must be carried out in a manner that prevents the risk of spillage or any other release contaminants to the environment.
- (D3) The waste sludge drying and composting areas must:
- (a) be roofed, constructed and maintained to exclude rainfall and
 - (b) not be located in any area likely to receive stormwater run-off.

End of Conditions for Schedule D

Section 45

SCHEDULE E - LAND APPLICATION

Release Waste Waters to Land - Land Irrigation Area

- (E1) The only contaminant release permitted to land at the licensed premises is treated effluent from the Sewage Treatment Plant to the Land Irrigation Area.
- (E2) The Land Irrigation Area must have an area of at least 5 000m² and must not have boundaries within 15 metres of any waters or watercourse.
- (E3) The Land Irrigation Area is described as the resort gardens on:

PROPERTY DESCRIPTION	LOCATION
Lot 4 Plan CWL3399, County of Cardwell, Parish of Hecate	Cape Richards, Hinchinbrook National Park Special Lease

- (E4) Notices warning the public not to access the Land Irrigation Area or drink the contaminants must be prominently displayed and must be maintained in a visible and legible condition.
- (E5) Pipelines and fittings for the release of contaminants to land must be clearly identified. Standard water taps, hoses and cocks must not be fitted to contaminant release pipelines, and the contaminant release system must not be connected to other service pipelines. Lockable valves or removable handles must be fitted to the contaminant release pipelines where there is public access to the Land Irrigation Area.

Quality of Waste Waters Released to Land

- (E6) The contaminants released to land, must comply with each of the release limits specified for each quality characteristic in Schedule E Table 1.

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Schedule E - Table 1
Release Quality Characteristic Limits

Quality Characteristics	Release Limit	Limit Type
5-day Biochemical Oxygen Demand	20 mg/L	maximum
Suspended Solids	30 mg/L	maximum
Free Residual Chlorine	0.7 mg/L	maximum
pH	6.5 to 8.5 pH units	range
Faecal Coliforms, based on a minimum of five samples collected at not less than weekly intervals.	150 coliform organisms per 100 millilitres	median
Faecal Coliforms, based on a minimum of five samples collected at not less than weekly intervals, with four out of five samples containing less than the limit specified	600 coliform organisms per 100 millilitres	80 th percentile

Release Waste Waters to Land

- (E7) The treated effluent must not be irrigated onto tracks and pathways.
- (E8) The Land Irrigation Area must not be used for recreational activities or as a thoroughfare during irrigation.
- (E9) The irrigation of contaminants to land must not be carried out if soil moisture conditions are such that surface ponding, runoff beyond the garden beds, infiltration below the root zone and soil erosion are likely to occur.
- (E10) The contaminant release area must be maintained in a proper and efficient condition so adequate assimilation, percolation, evaporation and transpiration of the released contaminants.
- (E11) Irrigation of the Land Irrigation Area must be carried out such that no aerosol spray dispersal or air drift occurs.

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- (E12) When weather conditions or soil conditions preclude irrigation of treated effluent, the effluent must be directed to a wet weather storage tank/s which must have a capacity of at least 16,500 cubic metres.

End of Conditions for Schedule E

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SCHEDULE F - NOISE

Noise Emissions

- (F1) The fuel storage and transfer facility shall be managed in a manner such that noise emissions do not cause environmental nuisance.

Noise Complaints

- (F2) Upon receipt of a complaint regarding the emission of noise from the carrying out of the environmentally relevant activities, the holder of this environmental authority must, within a reasonable period of time implement noise abatement measures until emissions of noise from the activity does not result in sound pressure levels at the affected noise sensitive premises greater than those specified in Schedule F Table 1.

Schedule F - Table 1
Noise Limits

<i>Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax adj, T}$</i>	<i>Period</i>
Background noise level plus 5 dB(A)	7 am - 6 pm
Background noise level plus 5 dB(A)	6 pm - 10 pm
Background noise level plus 3 dB(A)	10 pm - 7 am
<i>Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax adj, T}$</i>	<i>Period</i>
Background noise level plus 10 dB(A)	7 am - 6 pm
Background noise level plus 10 dB(A)	6 pm - 10 pm
Background noise level plus 8 dB(A)	10 pm - 7 am

- (F3) For the purposes of determining compliance with the limits specified in Schedule F Table 1:
- (a) the sound pressure level should not exceed the level specified measured over any 15 minute period that is representative of the noise being investigated; and
 - (b) the measurement location is 4.0 metres (± 0.5 metres) outside the part of the place most affected by the noise under investigation.
- (F4) All determinations of noise emissions as required by condition F2 and F3 must be carried out in accordance with the Environmental Protection Agency's Noise Measurement Manual, third edition, March 2000, or more recent additions or supplements to that document as they become available.

End of Conditions for Schedule F

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SCHEDULE G - WASTE MANAGEMENT

General

- (G1) The holder of this environmental authority must ensure that no waste disposal is to occur on the licensed premises.
- (G2) The holder of this environmental authority must not:
 - (i) allow waste to burn or be burned at or on the licensed premises; nor
 - (ii) remove waste from the licensed premises and burn such waste elsewhere.
- (G3) Where a no-cost recycling service is available, recyclable waste must not be deposited in the general waste stream.

Waste Sludge Handling

- (G4) Waste sludge drying areas are to be provided to receive all waste sludge from the sewage treatment plant.
- (G5) Any leachate removed from the waste sludge drying area must be directed to the sewage treatment plant.
- (G6) The holder of this environmental authority must ensure that waste sludge must not be buried on the licensed premises.
- (G7) The holder of this environmental authority must ensure that when sludge is used as a soil conditioner at the licensed premise it has been effectively dried and composted.

Regulated Waste

- (G8) The holder of this environmental authority must ensure that regulated wastes are only removed from the licensed premises by an operator lawfully able to transport such wastes, and disposed of to a facility that can lawfully receive such wastes.
- (G9) Where regulated waste is removed from the licensed premises the holder of this environmental authority must monitor and keep records of the following:
 - (a) the date, quantity and type of waste removed; and
 - (b) name of the waste transporter and/or disposal operator that removed the waste; and
 - (c) the intended treatment/disposal destination of the waste.

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Notification of Improper Disposal of Regulated Waste

(G10) If the holder of this environmental authority becomes aware that a person has removed regulated waste from the premises to which this environmental authority applies and disposed of the regulated waste in a manner which is not authorised by this environmental authority or is improper or unlawful, then the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of Conditions for Schedule G

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SCHEDULE H - MONITORING AND REPORTING

Daily Flow Recording

- (H1) The daily quantity of contaminants released must be determined or estimated by an appropriate method, for example, a flow meter.
- (H2) Records must be kept of the results of all determinations of the daily quantity of contaminants released to waters.

Complaint Recording

- (H3) All complaints received by the holder of this environmental authority relating to the release of contaminants in association with activities at the licensed premises must be recorded in a logbook with the following details:
 - a) time and date of complaint;
 - b) type of communication (telephone, letter, personal etc.);
 - c) name, contact address and contact number of complainant (Note: if the complainant does not wish to be identified, then 'Not identified' is to be recorded);
 - d) response and investigation undertaken as a result of the complaint;
 - e) name of person responsible for investigating complaint; and
 - f) action taken as result of the complaint investigation and signature of the responsible person.

Monitoring of Contaminants Released to Land

- (H4) The holder of this environmental authority is responsible for monitoring the quality of the contaminants released from the Sewage Treatment Plant at the frequency specified in Table 1 of Schedule H.

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Schedule H - Table 1
Monitoring Requirements

Quality Characteristic Determination	Monitoring Points	Frequency
5-day Biochemical Oxygen Demand.	Inlet to Chlorine Contact Tank	monthly
Suspended Solids.	Inlet to Chlorine Contact Tank	monthly
Free Residual Chlorine	Outlet from Chlorine Contact Tank	weekly
pH	Inlet to Chlorine Contact Tank	weekly
Total Nitrogen	Inlet to Chlorine Contact Tank	monthly
Faecal Coliforms (Organisms/100 ml)	Inlet to Chlorine Contact Tank	monthly
Total Phosphorus	Inlet to Chlorine Contact Tank	monthly

- (H5) All determinations of the quality of contaminants released must be made in accordance with methods prescribed in the Environmental Protection Agency Water Quality Sampling Manual, 3rd Edition, December 1999, or more recent additions or supplements to that document as such become available.

Exception Reporting

- (H6) The holder of this environmental authority must notify the administering authority in writing of any monitoring result which indicated a level in excess of any licence limit within 28 days of completion of analysis.
- (H7) The written notification required by condition number H4 must include:
- the full analysis results, and
 - details of investigation or corrective actions taken, and
 - any subsequent analysis.

Incident Recording

- (H8) A record must be maintained of at least the following events:
- the time, date and duration of equipment malfunctions where the failure of the equipment resulted in the release of contaminants reasonably likely to cause environmental harm;

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- b) any uncontrolled release of contaminants reasonably likely to cause environmental harm and
- c) any emergency involving the release of contaminants reasonably likely to cause material or serious environmental harm requiring the use of fire fighting equipment.

Notification of Emergencies and Incidents

- (H9) As soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the administering authority of the releases by telephone or facsimile.
- (H10) The notification of emergencies or incidents as required by condition number H9 must include but not be limited to the following:
 - (a) the holder of the environmental authority;
 - (b) the location of the emergency or incident;
 - (c) the number of the environmental authority;
 - (d) the name and telephone number of the designated contact person;
 - (e) the time of the release;
 - (f) the time the holder of the environmental authority became aware of the release;
 - (g) the suspected cause of the release;
 - (h) type of contaminant released and estimate of quantity released; and
 - (i) the environmental harm and or environmental nuisance caused, threatened, or suspected to be caused by the release.
- (H11) Not more than 14 days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition number H9 in addition to:
 - a) proposed actions to prevent a recurrence of the emergency or incident;
 - b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance, and
 - c) the results of any environmental monitoring performed.

End of Conditions for Schedule H

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SCHEDULE I - DEFINITIONS

- (I1) "Administering Authority" means the Environmental Protection Agency or its successor.
- (I2) "bund" means an embankment or wall which may form part or all of the perimeter of a compound.
- (I3) "compound" means an area bounded by natural ground contours or by a bund, sufficiently impervious to retain spillage or leakage pending recovery.
- (I4) "holder of this Environmental Authority" means Hinchinbrook Island Resort Pty Ltd.
- (I5) " L_{eq} " means the equivalent continuous A-weighted sound pressure level adjusted for noise character and measured over a time period of not less than 15 minutes using fast response.
- (I6) "licensed premises" means the special lease, Cape Richards, Hinchinbrook Island National Park.
- (I7) " L_{max} " means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using fast response.
- (I8) "mg/l" means milligrams per litre.
- (I9) "regulated waste" means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* and includes sewage treatment tank sludges and residues.
- (I10) "waters" means waters including groundwaters.

End of Conditions for Schedule I