Queensland Government

File/Ref: NOR/043457 - CNS808

13 July 2012

Douglas Baird
Quicksilver Connections Limited
PO Box 898
Cairns Qld 4870

Dear Mr Baird

REGISTRATION CERTIFICATE – ENRE00394305 – Quicksilver Connections Limited

The Department of Environment and Heritage Protection (EHP) has amended Registration Certificate, ENRE00394305 to add an environmentally relevant activity (ERA) to the listed activities.

The activity to be listed is:

ERA 8 (3) (a) chemical storage class C1 or C2 combustible liquids $10m^3$ to $500m^3$ as described in section 2 of the *Environmental Protection Regulation 2008*.

Please find enclosed a copy of your Certificate of Registration ENRE00394305.

Should you have any further enquiries, please do not hesitate to contact Richard Clews of the department on telephone (07) 4222 5318.

Yours sincerely

Scott Sullivan
Manager - North Region
Environmental Services and Regulation Division
Department of Environment and Heritage Protection

Enc: Registration Certificate: ENRE00394305

5b Sheridan Street Cairns Qld 4870
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Website www.ehp.qld.gov.au

Queensland Government

Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00394305

This registration certificate is issued by the Department of Environment and Heritage Protection and takes effect from: 13 July 2012

The anniversary day for the purposes of the Annual Return remains: 25 August each year

This registration certificate is a requirement of section 73D 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 IPDE02154810 and 8/33/258 attached to the premises, or the relevant code of environmental compliance.

Registered Operator:
Quicksilver Connections Ltd
P.O. Box 898, Cairns QLD 4870

Place:
Lot 100 on Plan NR843614

Located at:
The Esplande, Green Island Resort, QLD 4871

Registered Activity:
ERA 63.2(c) Sewage treatment – operating a standard sewage treatment works having a peak design capacity to treat sewage of 1500 or more equivalent persons but less than 4000 equivalent persons.

Development Approval: IPDE02154810

ERA 8 (3)(a) Chemical storage - 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) - (a)$10m^3$ to $500m^3$

Development Approval: 8/33/258

Scott sullivan
Delegate
Environmental Protection Act 1994
13 July 2012

CNS808

12.8.98

Our reference: 500 60

Environmental Protection Act 1994

LICENCE No. 5010000033 (Amended)

Section 45(1)

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

To: Reef Management Pty Ltd
Address: Trading as Green Island Resort
1 Wharf Street
Trinity Wharf
CAIRNS QLD 4870

In respect of carrying out the environmentally relevant activity/ies at the following place(s):

Green Island Resort
Lot 100, NR843614
Parish of Trinity, County of Nares
located at:
GREEN ISLAND QLD 4870

– ERA 15(c) Sewage treatment - 1,500 equivalent persons or more but <4,000

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

This amended licence takes effect from 18 September 1998.

signed R Anderson
Ron Anderson
Regional Manager (Environment), FNR
Delegate of Administering Authority
Environmental Protection Act

date 12 August 1998

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

SCHEDULE J - SITE PLAN

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.

Records

(A2) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place 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.

Operator Competency

(A4) The holder of this environmental authority shall ensure that the operation and maintenance of both the sewage treatment plant and the effluent irrigation system is carried out by or under the supervision of a person competent to operate and maintain the plant and equipment.

Monitoring and Measurements

(A5) 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 or body possessing appropriate experience and qualifications to perform the required determinations and the required measurements.

(A6) 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.

END OF CONDITIONS FOR SCHEDULE A

SCHEDULE B - AIR

(B1) Nil conditions.

END OF CONDITIONS FOR SCHEDULE B

SCHEDULE C - WATER

Release of Contaminants to Waters

(C1) The only contaminants permitted to be released from the licensed place at the Release Point W1 are tertiary treated sewage effluent from the Green Island Resort sewage treatment plant.

Release Points

(C2) Contaminants that may cause environmental harm must not be directly or indirectly released from any source on the licensed place to any waters at any location other than the release of tertiary treated sewage effluent at Release Point W1 to the waters of the Great Barrier Reef lagoon adjacent to Green Island.

Contaminant Release Point

(C3) The discharge point serving release point number W1 must be submerged such that the top of the outfall pipe is at least fifteen (15) metres below Low Water Datum.

Sampling Point

(C4) The holder of this environmental authority shall provide and maintain a sampling point for the treated sewage effluent immediately downstream of the UV sterilisation system. This sampling point must be maintained so as to be readily accessible to an authorised officer at any reasonable time.

Quantity of Contaminant Released

(C5) The total quantity of tertiary treated sewage effluent released from Release Point W1 during any day must not exceed 175 cubic metres.

Quality Characteristics of Release to Waters

(C6) The release of contaminants to waters must comply, at the sampling and in situ monitoring point specified in condition number (C4), with each of the limits specified in Schedule C - Table 1 for each quality characteristic.

(C7) The release must not produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum or litter.

Schedule C - Table 1 - Effluent Quality Characteristic Limits

QUALITY CHARACTERISTICS	RELEASE LIMIT	LIMIT TYPE
5-day Biochemical Oxygen Demand (mg/l)	20 60	80th percentile maximum
Suspended Solids (mg/l)	30 90	80th percentile maximum
pH (pH Units)	6.0 to 8.5	range
Dissolved Oxygen (mg/l)	2	minimum
Total Nitrogen (mg/l)	5 10	50th percentile maximum
Total Phosphorus as P (mg/l)	1 2	50th percentile maximum
Oil and Grease	10	maximum
Faecal coliforms (Organisms/100 ml)	200 1000	median[(1)] 80th percentile[(2)]

Notes: (1) Median must be based on the results of at least five (5) consecutive samples, individual samples may be collected at intervals of not less than thirty (30) minutes for the purpose of measuring licence compliance. However, the minimum frequency of testing required to be carried out by the holder of this environmental authority is once in each month.

(2) "80th percentile" for this quality characteristic means that the measured values of the quality characteristic must not be greater than the release limit for any more than one out of five (5) consecutive samples.

(C8) Any sewage pump station overflows must be screened to prevent the release of gross solids.

Pump Station Alarms and Standby Pump Systems

(C9) Pump stations whose failure would or would be likely to result in a direct or indirect release of contaminants to waters must be fitted with stand-by pumps and pump-failure alarms. Pump failure alarms must be able to operate without mains power if such power failure occurs.

END OF CONDITIONS FOR SCHEDULE C

SCHEDULE D - STORMWATER MANAGEMENT

(D1) Nil conditions.

END OF CONDITIONS FOR SCHEDULE D

SCHEDULE E - LAND APPLICATION

Contaminant Release Area

(E1) Tertiary treated sewage effluent from the licensed activity may only be disposed of to land in the defined contaminant release area described as the gardens of the Green Island Resort lease area and a portion of the Green Island Esplanade (as shown in condition number (J1)) or as the result of fire fighting on Green Island.

Control of Contaminant Release to Land

(E2) The irrigation of gardens with tertiary treated sewage effluent must be carried out in such a manner that:

(a) vegetation is not damaged;

(b) soil erosion and soil structure damage is minimised;

(c) there is no surface ponding of effluent;

(d) the effluent is evenly distributed on the irrigation area;

(e) there is no spray drift or overspray outside the effluent disposal area approved under this schedule; and

(f) the infiltration of effluent beyond the plant root zone is minimised.

(E3) Pipelines and fittings for the land disposal or reticulation of treated sewage effluent must be clearly identified. Wherever possible, standard water taps, hoses and cocks should not be fitted to effluent irrigation system pipelines, and lockable valves or removable handles should be fitted to the effluent irrigation pipelines where there is public access to the contaminants release areas. The irrigation system and effluent reticulation system must not be connected to other service pipelines.

END OF CONDITIONS FOR SCHEDULE E

SCHEDULE F - NOISE

Emission of Noise

(F1) In the event of a complaint about noise that the administering authority considers is reasonable, then the emission of noise from the activity must not result in levels greater than those specified in Table 1 of the Noise Schedule until the circumstances which gave rise to the complaint are resolved.

Schedule F - Table 1

NOISE LEVEL AT A NOISE SENSITIVE PLACE MEASURED AS THE ADJUSTED MAXIMUM SOUND PRESSURE LEVEL $L_{Amax\ adj,T}$	PERIOD
background noise level plus 5dB(A)	7am - 6pm
background noise level plus 5dB(A)	6pm - 10pm
background noise level plus 3dB(A)	10pm - 7am
NOISE LIMITS AT A COMMERCIAL PLACE MEASURED AS THE ADJUSTED MAXIMUM SOUND PRESSURE LEVEL $L_{Amax\ adj,T}$	**PERIOD**
background noise level plus 10dB(A)	7am - 6pm
background noise level plus 10dB(A)	6pm - 10pm
background noise level plus 8dB(A)	10pm - 7am

END OF CONDITIONS FOR SCHEDULE F

SCHEDULE G - WASTE MANAGEMENT

General

(G1) The holder of this environmental authority must not:

(a) allow waste arising from the carrying out of the environmentally relevant activity to burn or be burned at or on the licensed place; nor

(b) remove waste arising from the carrying out of the environmentally relevant activity from the licensed place and burn such waste elsewhere.

Waste Storage and Handling

(G2) All drum storage of regulated wastes must be bunded so that either:

(a) the capacity of the bund is sufficient to contain at least 25% of the maximum design storage volume within the bund; or

(b) the bund drains to the resort sewage treatment system.

Sewage Sludge

(G3) Any spillage which occurs during pumping out of sludges from the grease interceptor traps or sewage treatment plant must be cleaned up as quickly as practicable by dry methods, or by other appropriate methods, to prevent any discharge of contaminants to the environment.

Off Site Movement of Regulated Wastes

(G4) Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority must ensure that records are kept 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.

Note: Records of documents maintained in compliance with a waste tracking system established under the Environmental Protection Act 1994 or any other law for regulated waste will be deemed to satisfy this condition of the environmental authority.

Notification of Improper Disposal Of Regulated Waste

(G5) If the holder of this environmental authority becomes aware that a person has removed regulated waste from the licensed place and disposed of the regulated waste in a manner which is not authorised by this environmental authority or 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

SCHEDULE H - MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the licensed place must be recorded and kept with the following details:

(a) time, date and nature of complaint;

(b) type of communication (telephone, letter, personal etc.);

(c) name, contact address and contact telephone 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 a result of the complaint investigation and signature of responsible person.

Monitoring of Contaminant Releases to Waters

(H2) The holder of this environmental authority is responsible for the making of determinations and keeping of records of the quality of the contaminants released from Release Point W1 at least once in each month for the quality characteristics specified in Schedule H - Table 1.

(H3) Determinations of the quality of contaminants released to waters to check conformity with the release quality characteristics specified in the Water Schedule of this environmental authority must be undertaken at the sampling and in situ monitoring point located immediately downstream of the UV sterilisation system.

Table 1 - Schedule H

QUALITY CHARACTERISTIC DETERMINATION
5-day Biochemical Oxygen Demand.
Suspended Solids.
pH.
Dissolved Oxygen.
Total Nitrogen
Total Phosphorus as P.
Oil and Grease.
Faecal coliforms(Organisms/100 ml)

(H4) The holder of this environmental authority must prepare a sampling program which specifies the day and time of sampling at least one (1) month in advance and evidence of it must be available to an authorised officer on demand. Sampling must be carried out in accordance with the program irrespective of the flow or other conditions of the plant.

(H5) All determinations of the quality of contaminants released to waters must be made in accordance with methods prescribed in the Department of Environment and Heritage Water Quality Sampling Manual, 2nd Edition, February 1995, or more recent additions or supplements to that document as such become available.

Monitoring of Volume of Release

(H6) The holder of this environmental authority must:

(a) measure the daily quantities of contaminants released to waters by use of a flowmeter; and

(b) determine the weekly quantity of contaminants irrigated to land by calculating a water balance using the volume of water brought onto the island, the stored volumes of both potable water and effluent and the measured volume of contaminants released to waters.

Record Keeping

(H7) Records must be kept of the results of all determinations of the quantities of contaminants released to waters or irrigated to land.

Exception Reporting

(H8) The holder of this environmental authority must, unless a program notice in accordance with Section 101 of the Act is submitted, notify the administering authority in writing of any monitoring result which indicates an exceedance of any licence limit within twenty-eight (28) days of completion of analysis.

(H9) The written notification required by condition number (H8) above must include:

(a) the full analysis results; and

(b) details of investigation or corrective actions taken; and

(c) any subsequent analysis to verify the success of any corrective actions taken.

(H10) If a program notice has been submitted under Section 101 of the Act, conditions number (H8) and (H9) will have been complied with if the required information is submitted by the date specified in a Section 103 notice requiring submission of a draft Environmental Management Program.

Incident Recording

(H11) A record must be maintained of at least the following events:

(a) 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;

(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

(H12) Where the holder of this environmental authority has not given notification to the administering authority under section 37 of the Environmental Protection Act, 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 release by telephone or facsimile or submission of a program notice in accordance with Section 101 of the Act.

Note: The notification of emergencies and incidents required under this condition must also include any sewage pump failures, sewage pump station overflows or any other incident resulting in the release of raw sewage to the environment.

(H13) Where the holder of this environmental authority has not given notification to the administering authority under section 37 of the Environmental Protection Act, the notification of emergencies or incidents as required by condition number (H12) must, unless a program notice in accordance with Section 101 of the Act is submitted, include but not be limited to the following:

(a) the holder of this 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 this environmental authority became aware of the release;

(g) the suspected cause of the release;

(h) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and

(i) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(H14) Where the holder of this environmental authority has not given notification to the administering authority under section 37 of the Environmental Protection Act, not more than fourteen (14) days following the initial notification of an emergency or incident, the holder of this environmental authority must provide written advice of the information supplied in accordance with condition number (H13) in addition to:

(a) proposed actions to prevent a recurrence of the emergency or incident; and

(b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance.

(H15) If a program notice has been submitted under Section 101 of the Act, condition number (H14) will have been complied with if the required information is submitted by the date specified in a Section 103 notice requiring submission of a draft Environmental Management Program.

(H14) The holder of this environmental authority must ensure that the results of all monitoring performed in accordance with this environmental authority for the period covered by the return are submitted with the annual return.

END OF CONDITIONS FOR SCHEDULE H

SCHEDULE I - DEFINITIONS

For the purposes of this environmental authority the following definitions apply:

(I1) "Administering Authority" means the Department of Environment or its successor.

(I2) "holder of this environmental authority" means Reef Management Pty Ltd.

(I3) "licensed place" means the Green Island Resort sewage treatment plant, Lot 100, NR843614, Parish of Trinity, County of Nares located at Green Island via Cairns Qld 4870 and includes any pump stations, reticulation systems, effluent irrigation areas and other ancillary works associated with the plant.

(I4) "land" means land excluding waters and the atmosphere.

(I5) "mg/l" means milligrams per litre.

(I6) "50th percentile" is the value which is exceeded by fifty (50) percent of the values for the characteristic in question and should be calculated on the basis of a log - normal distribution using twelve (12) consecutive monthly results for the characteristic.

(I7) "80th percentile" is the value which is exceeded by twenty (20) percent of the values for the characteristic in question and should be calculated on the basis of a log - normal distribution using twelve (12) months consecutive results for the characteristic.

(I8) "maximum" means that the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

(I9) "minimum" means that the measured value of the quality characteristic or contaminant must not be less than the release limit stated.

(I10) "range" means that the measured value of the quality characteristic or contaminant must not be more than the higher release limit stated nor lower than the lower release limit stated.

(I11) "regulated waste" means non-domestic waste included in Schedule 8 of the Environmental Protection (interim) Regulations 1995, and includes:

(a) oil interceptor sludges, oil water emulsions and mixtures and oils;

(b) grease interceptor trap effluent and residues; and

(c) anything that has contained a regulated waste.

(I12) "Total Nitrogen" means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen

(I13) "$L_{Amax\ adj.T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

(I14) "background noise level" means $L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than fifteen (15) minutes, using Fast response.

(I15) "noise sensitive place" means -

(a) a dwelling, 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; or

(f) a public park or gardens.

(I16) "commercial place" means a place used as an office or for business or commercial purposes.

END OF CONDITIONS FOR SCHEDULE I

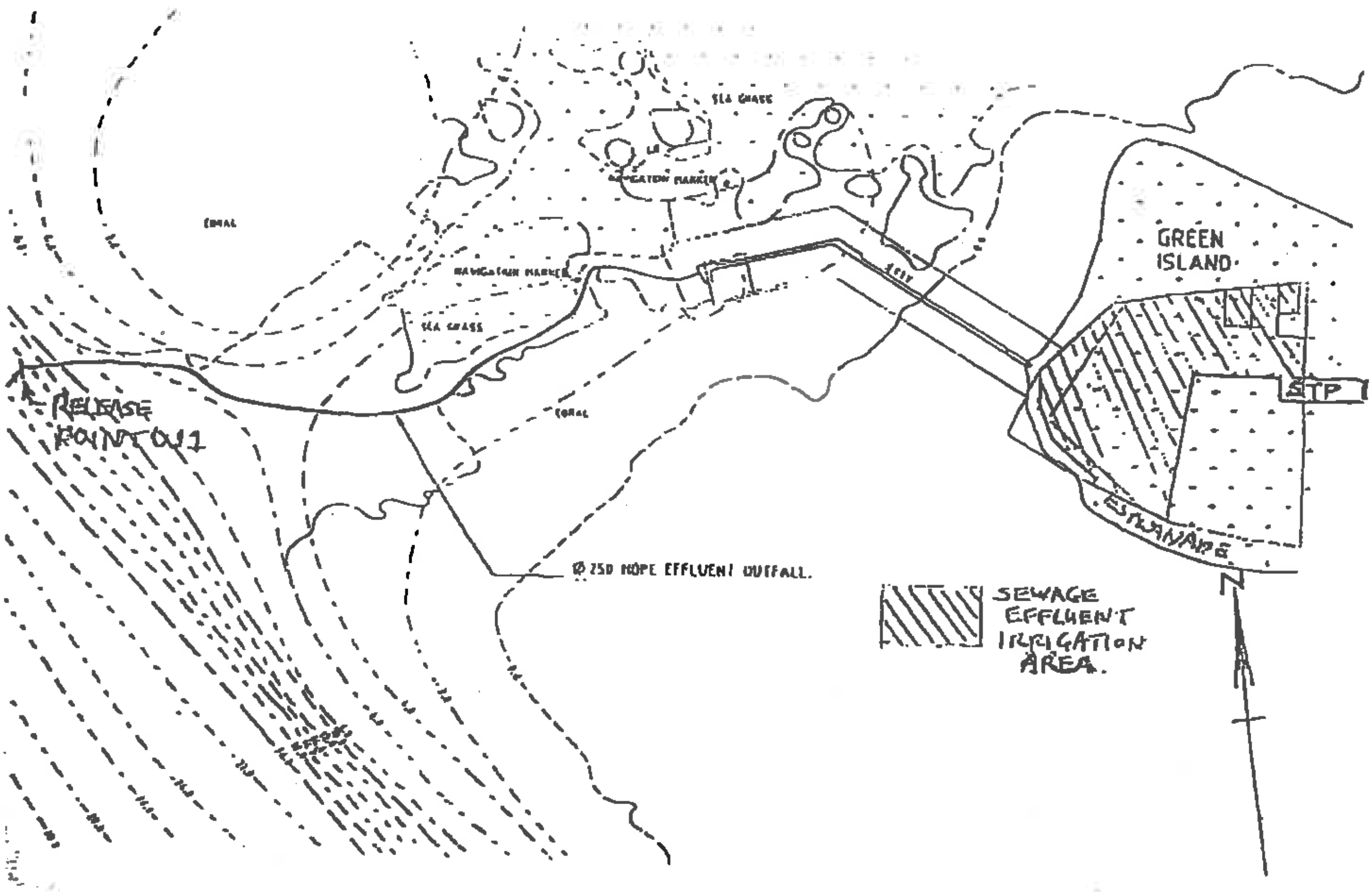
Environmental Authority #
5010000033 (Amended)

Env. Authority Holder
Reef Management Pty Ltd

Section 45(1)

SCHEDULE J - SITE PLAN

(J1) Green Island Sewage Treatment Plant, Contaminant Release Point and Effluent Irrigation Area



END OF CONDITIONS FOR SCHEDULE J

END OF ENVIRONMENTAL AUTHORITY

ENQUIRIES:	Mark Dillon
PHONE:	4044 3539
OUR REF:	12.2006.543

26 September 2006

<u>Decision Notice For Development Application 8/33/258</u>
<u>Integrated Development Approval – ERA #28 – Motor Vehicle Workshop and ERA #11a – Petroleum Product Storage</u>
<u>Esplanade Green Island</u>

PROPOSAL:	Integrated Development Approval
TYPE OF DEVELOPMENT:	Commencement of an Environmentally Relevant Activity
REFERRAL AGENCIES:	None Applicable
DECISION DATE:	19 September 2006
DECISION:	Approved subject to conditions
TYPE OF APPROVAL:	Development Permit

ASSESSMENT MANAGER CONDITIONS:

General

1. This approval is for the following environmentally relevant activities:
   a) Motor Vehicle Workshop – operating a workshop or mobile workshop in the course of which motor vehicle mechanical or panel repairs are carried out in the course of a commercial or municipal enterprise (other than on a farm under a mining tenement) or on a commercial basis; and
   b) Crude Oil or Petroleum Product Storage – storing crude oil or a petroleum product in tanks or containers having a combined total storage capacity of 10,000L or more but less than 500,000L.
2. A copy of this Development Approval must be kept in a location readily accessible to personnel carrying out the activity.
3. Any persons responsible for the carrying out of the environmentally relevant activity must be familiar with the conditions of this Approval as they relate to the person's responsibilities.

4. Any record or document required to be kept by a condition of this Approval must be kept at the workplace for a period of at least five (5) years and be available for examination by an authorised person.

5. 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 Approval.

   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.

6. In carrying out the environmentally relevant activity all reasonable and practicable measures must be taken to prevent or to minimise the likelihood of environmental harm being caused.

DEVELOPMENT CONDITIONS – MOTOR VEHICLE WORKSHOP

Air

7. Incineration or open burning must not be carried out at the workplace.

8. Lubricants, kerosene, degreaser, thinners, solvents and other volatile substances utilised in undertaking the activity must be stored in sealed containers to prevent the discharge of volatile organic compounds to the atmosphere.

Stormwater

9. To prevent rainwater entering waste bins:

   a) waste bins must be stored undercover;

   b) lids must be closed at all times other than when wastes are being deposited into the bin.

10. Uncontaminated stormwater must be diverted away from areas where oils and other contaminants are stored.

11. The activity must not be conducted in a manner that may cause the contamination of stormwater run off. Routine maintenance programs must be implemented to maintain the integrity and condition of any bunding and contaminant storage drums, to prevent leakage of contaminants.

12. Stormwater contaminated with sediment, oil, chemicals or other contaminants from the activities conducted at the workplace must not be released either directly or indirectly to the roadside gutter, stormwater drainage system or surface water.

13. The cleaning methods utilised at the workshop must:

    a) ensure the workshop floor is not hosed;

    b) prevent the release of wastewater beyond the confines of the workshop;

    c) ensure that any wastewater generated by the washing of motor vehicles is directed to the collection channel; and

    d) ensure that wastewaters are collected by a licensed regulated waste transporter or discharged to sewer in accordance with Cairns City Council's Trade Waste Policy.

14. To prevent spillage from oil (including transmission, gear and engine oil), degreaser, kerosene, solvents and other contaminant drums into stormwater, sewer or unsealed ground, all drums must be stored:

   a) with the lid sealed; and

      i. in a covered and bunded enclosure; or

      ii. within the confines of the workplace on a sealed floor and at least three (3) metres from any open access or doorway; or

      iii. in other storage containers approved by Council in writing.

15. Any parts washing or degreasing must be conducted in a dedicated parts washing unit, which must be located within the workshop, at least two metres from any access to the workshop.

16. Where contaminant drums/containers are not located within bunded areas, drip trays and containers must be positioned under taps fitted to oil and other potential contaminant containers to collect drips and prevent residual liquid within the tap and associated pipe fittings from discharging freely.

17. Drip trays and containers must be cleaned regularly. All taps fitted to liquid containers, which leak or have a tendency to leak must be repaired or replaced.

18. Any spillage of potential contaminants must be:

   a) cleaned up promptly; and

   b) cleaned up using an absorbent material; and

   c) the used absorbent material is isolated before disposal in a waste bin.

19. There must be a supply of absorbent material in an accessible location in a sufficient quantity to contain the entire largest container of liquid not stored within a bunded area, in the event of a spillage of a potential contaminant at the workplace.

Wastewater

20. Any sludge, grease, oil and sediments collected within the wastewater treatment unit, including separators, interceptors and holding tanks must be removed by a licensed regulated waste transporter on a regular basis in order to:

   a) ensure that the unit is operating to its optimum design efficiency; and

   b) prevent overflow of wastes out of the unit.

Waste

21. Any disused oil filters and liquid waste must be:

   a) drained and stored in a waste oil drum located within the confines of the workplace; and

   b) recycled and/or disposed of in a lawful manner.

22. Waste oil must be:

   a) stored in a sealed container that is located;

      i. in a bunded and covered area; or

      ii. within the confines of the workplace on a sealed floor at least three (3) metres from any access point to the workplace; or

iii. stored by another means approved by Council in writing; and

iv. removed from the workplace by a licensed regulated waste transporter.

23. Engines and other metal parts with any residual oil or grease must be stored undercover, on a sealed surface, in such a manner as to prevent oil, grease and other contaminants entering the soil.

24. Disused drums must be drained, sealed and stored in a covered area on a sealed surface prior to being:

    a) sent to a metal recycling agent; or

    b) returned to the drum supplier; or

    c) disposed of at a waste disposal facility whose operator is licensed in accordance with the Act.

25. Only dry, solid and inert waste must be disposed of in industrial waste bins at the workplace.

26. Solid wastes, which are suitable for recycling, must be recycled:

    a) where a recycling collection service is available to the activity; or

    b) where a recycling collection service is not available to the activity:

        i. all solid waste must be removed to a waste disposal facility whose operator is licensed in accordance with the Act; or

        ii. dispose of solid wastes in another manner approved in writing by Council.

Regulated Waste

27. Where regulated waste is removed from the workplace (other than by a release as permitted under another condition of this approval), records must be kept indicating the following:

    a) the date, quantity and type of waste removed;

    b) name of the waste transporter that removed the waste; and

    c) the intended treatment/disposal destination of the waste.

28. Any waste motor vehicle batteries must be stored at the workplace in a covered area and in an acid resistant container prior to being:

29. collected from the workplace by a licensed regulated waste transporter; and

30. recycled or disposed of at a waste disposal facility whose operator is licensed in accordance with the Act.

31. Any waste tyres generated by the activity must be transported from the licensed place by a licensed regulated waste transporter or taken to a licensed waste disposal facility accepting such wastes.

Land

30. Radiators and other metal parts with any residual coolant must be stored undercover, on a sealed surface, in such a manner as to prevent coolant and other contaminants entering the soil.

DEVELOPMENT CONDITIONS – CRUDE OIL OR PETROLEUM PRODUCT STORAGE

Air

31. Incineration or open burning must not be undertaken without the prior written approval of Cairns City Council.

32. The existence of acid sulphate soils or potential acid sulphate soils at the approved place must be identified prior to any:

    a. disturbance of soil;

    b. lowering of associated groundwater table; and

    c. installation of underground storage tanks.

33. In the event acid sulphate soils or potential acid sulphate soils exist at the workplace, an Environmental Management Program must be submitted to Council which addresses:

    a. the maintenance in a submerged state of any acid sulphate soils or potential acid sulphate soils; and

    b. the maintenance of the height of the groundwater table where such lowering would be likely to expose any acid sulphate soils or potential acid sulphate soils to aerobic conditions; and

    c. management of any excavated soil and associated leachate.

34. All tanks must be non-corrodible and comply with the following:

    a. Tanks must be constructed wholly of non-combustible material and must be compatible with the petroleum product; or

    b. Tanks must be constructed of steel in compliance with an Australian industry standard accepted as best practice, and the tanks must be cathodically protected; or

    c. Tanks must be constructed and protected from corrosion in a manner that protects both human health and the environment.

35. The tanks and any pipework must be located in such a manner to protect against impact damage from vehicles or mobile plant.

36. All piping must be non-corrodible and must be constructed:

    a. of fibre reinforced plastic which must be compatible with the petroleum product; or

    b. of flexible plastic which must be compatible with the product; or

    c. of steel and cathodically protected; or

    d. protected from corrosion in a manner that protects both human health and environment as in the above options.

37. Product piping between the tank and the dispenser must be one of the following systems:

    a. suction product piping with a leak monitoring system; or

    b. suction product piping is exempt from leak monitoring if designed and installed in accordance with all of the following:

    c. i. normally operates at less than atmospheric pressure; and

ii. allows the contents of the piping to drain back into the tank if the suction is released; and

iii. has only one check valve in the suction product piping; and

iv. has the check valve installed vertically and located directly below, and as close as practical to, the suction pump dispenser; and

v. enables compliance with clauses (ii), (iii) and (iv) to be readily determined by a competent and experienced person; or

d. pressurised product piping must be designed and installed in accordance with the following:

i. line leak detection must be provided; and

ii. an emergency shut-off valve must be located at the base of each dispenser.

38. Each fill point must be designed and installed in compliance with all of the following:

a. dedicated to one tank only; and

b. an Australian industry standard accepted as best practice for pipeline and tank identification; and

c. accessible from a vehicle in unloading or loading positions with a hose no longer than (6) metres; and

d. fitted with a fill point spill containment device, which has a minimum capacity of (15) litres per fill point.

39. Dispenser sumps must be installed underneath dispensers in such a manner to collect leaks from the dispenser, and prevent the release of petroleum product into the environment.

40. Overfill protection must be a mechanical and/or electrical device that is installed in the tank fill piping or the vent piping and vapour recovery piping, such that the risk of overfill is significantly reduced.

41. A leak monitoring system must be installed such that it can detect a leak from any portion of the tank or piping. Leak monitoring must be conducted at least every month.

42. Tank pit observation wells are not required where a tank excavation has a ground water monitoring well or vapour monitoring well installed in the tank excavation as part of a leak monitoring system.

43. When tank pit observation wells are required, it must comply with all of the following:-

a. be installed to intercept the tank excavation area, or be as close to it as is technically feasible; and

b. be installed in each individual tank excavation with a minimum of two tank pit observation wells for excavations with two or more tanks; and

c. be installed so as to penetrate the bottom of the tank excavation and terminate at least 150 millimetres below the bottom of the tank; and

d. the tank excavation must be graded to a low point where a tank pit observation well must be installed to within 150 millimetres of the low point; and

e. be designed and installed so as to enable the presence of product vapour or free phase product in the tank excavation area to be confirmed; and

f. be clearly marked and secured to avoid unauthorised access and tampering; and

g. be sealed from the ground surface to the top of the filter pack.

44. All fill and vapour recovery points must be earthed in compliance with an Australian industry standard accepted as best practice for electrical wiring and installation.

Stormwater

45. Petroleum products must not be transferred from a delivery vehicle to an underground tank unless the delivery vehicle is fitted with vapour recovery equipment and this equipment is operated in an efficient manner when transferring fuel.

46. The applicant must ensure that the surface of the fuel storage area apron and adjacent vehicle entrance is adequately sealed and maintained (repair cracks and holes) to prevent the release of potentially contaminated surface water or petroleum products to stormwater or unsealed areas.

47. Any objects or waste with any surface residual petroleum products must be stored undercover, on a sealed surface, in such a manner as to prevent contaminants entering the soil or uncontaminated stormwater run-off.

Wastewater

48. Drainage from any workplace apron area, on which a vehicle can stand while being fuelled or transferring petroleum products, must be directed by appropriate surface grading or bunding into a wastewater pre-treatment system in such a manner so as to prevent the contamination of stormwater.

49. Where a wastewater pre-treatment system(s), including canopy pits, holding tanks, grated drains, vertical gravity separators, coalescing place separators, grated sumps and silt arresters is installed, the system(s) must be maintained regularly to ensure the system(s) is operating to its optimum design efficiency and to prevent overflow of wastes.

50. All uncontaminated stormwater from roofed areas and uncontaminated ground areas must be directed away from the petroleum loading and covered canopy apron areas. Allowances must be made in the design of canopies and hard stand areas to exclude uncontaminated stormwater from the wastewater pre-treatment system(s).

51. All spillage of petroleum products or other potential contaminants must be:

a. cleaned up promptly; and

b. cleaned up using an absorbent material.

Note: Used absorbent material must be isolated prior to disposal in an industrial waste bin.

52. A supply of an absorbent material must be available in an accessible location and in a sufficient quantity at all times to contain minor spills of petroleum products.

53. Ensure that wastewater retained and collected within any bunded area(s) is transported from the site to a facility whose operator is licensed under the *Environmental Protection Act 1994* to receive and dispose or treat of this waste.

54. Where wastewater retained within bunded areas is stored prior to collection, in accordance with Condition (62), the wastewater must be stored in sealed containers located:

  a. within a bunded and covered area; or
  b. within a workshop with a sealed floor; or
  c. otherwise, by means given prior written approval by Council.

Waste

55. Disused drums must be drained, sealed and stored in a covered area on a sealed surface prior to being:

  a. sent to a metal recycling agent; or
  b. returned to the drum supplier; or
  c. disposed of at a waste disposal facility whose operator is licensed to accept such waste for disposal.

Records

56. A Site Emergency Plan must be prepared, covering actions to be taken in the event of a product leak, spill or overfill. The Site Emergency Plan must include, but not be limited to:

  a. action to be taken to prevent any further release of product into the environment; and
  b. identification and mitigation of fire, explosion and vapour hazards; and
  c. procedures to prevent further migration of released product; and
  d. procedures to recover or remove released product so that the site does not pose any threat to the environment or human health and safety; and
  e. procedures to remove or repair the leaking component; and
  f. notification to the administering authority where environmental harm is or is likely to occur; and
  g. information and telephone numbers to advise Cairns City Council.

  Note: A copy of the Site Emergency Plan must be submitted to Council prior to the activity being commenced at the workplace.

57. An inventory control system must be developed to identify loss of stored petroleum products and must include:

  a. a reconciliation of petroleum product with tank readings and deliveries, which must be performed for the tank each day that petroleum products are added or removed from a tank; and
  b. a monthly summary of cumulative losses or gains of petroleum products.

58. Ensure the inventory control system records and reconciliation data is:

  a. maintained and kept on site; and
  b. kept in an acceptable manner and format; and
  c. made available to Cairns City Council on request; and
  d. maintained on site for a minimum of five (5) years.

59. When a loss of petroleum product is indicated by any unexplained variation significantly in excess of the system's normal pattern, the operator must notify Cairns City Council within two working days of becoming aware of such losses.

60. Where disuse of any tanks is to occur:

   a. notify Council in writing, with reference to this Approval; and

   b. disconnect all pipes from such tanks, in accordance with an Australian industry standard accepted as best practice.

61. Records of equipment integrity tests must be kept on site for the life of the UPS system.

Noise

62. In the event of a complaint made to the Administering Authority (which is neither frivolous or vexatious) about noise generated in carrying out the environmentally relevant activity, and the noise is considered by the Administering Authority to be an unreasonable noise, the holder of this environmental authority must take stated measures to ensure that it is no longer an unreasonable noise.

63. Emergency diesel generator and diesel fuel storage must be located within a bunded and covered area. The diesel fuel storage tank must be sealed and maintained to ensure the integrity of the storage unit. The generator must be periodically tested in such a manner as to not cause a nuisance in accordance with the *Environmental Protection Regulation 1998.*

Incident Reporting

64. When notifying Cairns City Council of environmental harm under Section 320 of the Act, Council must be provided with sufficient information to take appropriate action.

65. Not more than 14 days following the initial Council notification under Section 320 of the Act, Council must be provided with the following additional information:

   a. actions taken and proposed to be taken to prevent a recurrence of the event or minimise the consequences of the event;

   b. outcomes of any actions taken; and

   c. the results of any environmental monitoring performed since the event.

66. For the purposes of the Development Approval, any term not otherwise defined in condition (67) of this Approval has the meaning conferred to that term in the Act or in the absence of a meaning in the Act, has the meaning conferred to that term in its common use.

   In the event of any inconsistency arising between the meaning of any term provided in condition (67) of this Approval and the meaning in the Act or any common usage of that term, the meaning conferred in condition (67) will apply.

67. For the purposes of the licence the following definitions apply:

   "Act" means the *Environmental Protection Act* 1994.

   "application" means the application for a Development Approval in relation to the activities received and dated **12 September 2006** (including any amendments to the application initialled by the Council and the applicant) and all plans specifications and information submitted with the application or provided to the Council in response to a request from the Council for additional information.

"Approval" means Development Approval in accordance with the *Integrated Planning Act 1997* and the *Environmental Protection Act 1994*.

"authorised person" means a person appointed under the Act by the Chief Executive Officer of the Council.

"Council" and "Administering Authority" means Cairns City Council and its successors.

"activity" means Integrated Development Approval.

"personnel" means those persons or entities used in carrying out the activity, either directly or indirectly and includes without limitation employees, agents, contractors and sub-contractors.

"workplace" means Esplanade, Green Island, Lot 100 on NR843614, Assessment #279265, Parcel #57615.

CONCURRENCE AGENCY CONDITIONS:

None Applicable

PROPERLY MADE SUBMISSIONS MADE ABOUT THE APPLICATION:

None Applicable

FURTHER DEVELOPMENT PERMITS REQUIRED:

None Applicable

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT:

- CairnsPlan
- Environmental Protection Act 1994
- Cairns City Council's Development Manual

APPEAL RIGHTS: See Attachment 1

LAURIE PHIPPS
<u>Manager, Environmental Assessment</u>

Att.

EXTRACTS FROM THE ACT REGARDING REVIEWS AND APPEALS

PROCEDURE FOR REVIEW
521

(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) 10 business 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; and
 (b) be supported by enough information to enable the authority to decide the application.

(3) On or before making the application, the applicant must send 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 5 business 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 within 10 business days after receiving the application:-
 (a) review the original decision; and
 (b) consider any submissions properly made by a recipient of the review notice; and
 (c) 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 10 business 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 (5) or (8) the authority is taken to have made a decision confirming the original decision.

(11) Subsection (7) applies despite the *Acts Interpretation Act 1954, section 27A.*

(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.

APPEALS TO COURT
Who may appeal
531

(1) A dissatisfied person who is dissatisfied with a review decision, other than a review decision to which subdivision 1 applies, 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 521 does not apply may appeal against the decision to the Court.

(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 1994 (for example, compliance with Environmental Protection Policies), the Environmental Protection Regulation 1998 and other obligations at law created by Federal, State and Local Governments.

(2) ENVIRONMENTAL DUTIES UNDER THE ENVIRONMENTAL PROTECTION ACT

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

Section 319 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 320 requires that a person who, while carrying out an activity (the "primary activity"), becomes aware that serious or material environmental harm is caused or threatened by the person's or someone else's act or omission in carrying out the primary activity or another activity being carried out in association with the primary activity.

As soon as reasonably practicable after becoming aware of the event involving the harm, the person must:-

(a) if the person is carrying out the primary activity during the person's employment or engagement by, or as the agent of, someone else (the 'employer'):-
   (i) tell the employer of the event, its nature and the circumstances in which it happened; or
   (ii) if the employer cannot be contacted – give written notice to the administering authority of the event, its nature and the circumstances in which it happened; or
(b) if paragraph (a) does not apply to the person – give written notice to the administering authority of the event, its nature and the circumstances in which it happened.

(3) SURRENDERING A REGISTRATION CERTIFICATE

Section 73O of 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 or the standard environmental conditions of the code; and
   (ii) the fee prescribed under a regulation.

(4) SALE OF A BUSINESS

Section 73Q of the Act applies if a registered operator proposes to dispose of the operator's business to someone else (the proposed buyer). Before agreeing to dispose of the business, the operator must give the proposed buyer written notice that the proposed transferee must apply for a new registration certificate.