

Permit

Environmental Protection Act 1994

Environmental authority EPPR00978413

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

Environmental authority number: EPPR00978413

Environmental authority takes effect on the date that your related development approval takes effect. This is the take effect date.

Within 5 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

The first annual fee is payable within 20 business days of the take effect date.

The anniversary date of this environmental authority is the same day each year as the take effect date. The payment of the annual fee will be due each year on this day.

Environmental authority holder

Name(s)	Registered address
HAMILTON ISLAND ENTERPRISES LIMITED	1 Front Street HAMILTON ISLAND QLD 4803

Environmentally relevant activity and location details

Environmentally relevant activities	Location
ERA 16 - Extraction and screening activities - 1(a) - Dredging, in a year, 1000t to 10000t of material	Lot 8/CP861993
ERA 49 – Boat Maintenance or Repair – Operating, on a commercial basis, a boat maintenance or repair facility for maintaining or repairing hulls, superstructure or mechanical components of boats or seaplanes, or cleaning or maintaining hulls in water at another place on a commercial basis	Lot 8/CP861993
ERA 57 - Regulated Waste Transport - Transporting regulated waste	Adjacent to Lot 8 on CP861993

Environmentally relevant activities	Location
ERA 63 - Sewage Treatment (1): Operating sewage treatment works, other than no-release works, with a total daily peak design capacity of, (d) more than 4,000 to 10,000 EP.	Lot 8/CP861993
ERA 64 - Water treatment - 1(a) - Desalinating, in a day, the following quantity of water, allowing the release of waste only to seawater - 0.5ML to 5ML	Lot 8/CP861993

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

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

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days) that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority – on the nominated day; or
- b) if the authority states a day or an event for it to take effect – on the stated day or when the stated event happens; or
- c) otherwise – on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

The anniversary day of this environmental authority is the same day each year as the original take effect date unless you apply to change the anniversary day. The payment of the annual fee will be due each year on this day.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.



Signature

Rebecca Griffiths
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

25/10/2022

Date

Enquiries:
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Assessment
Department of Environment and Science
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Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able to take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

Obligations under the *Environmental Protection Act 1994*

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

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

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. If you are unsure that you have the most current version of the environmental authority relating to this site please visit <https://apps.des.qld.gov.au/env-authorities/> to access all environmental authorities currently approved.

Conditions of environmental authority

Part 1 – Sewage treatment

Environmentally relevant activity	Location
ERA 63 - Sewage Treatment (1): Operating sewage treatment works, other than no-release works, with a total daily peak design capacity of, (d) more than 4,000 to 10,000 EP.	Lot 8 Plan CP861993

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

Agency interest: General	
Condition number	Condition
G1	Activities conducted under this environmental authority must not be conducted contrary to any of the following limitations: Daily inflows into the sewage treatment plant must not exceed the daily peak design capacity of 3 X times the Design Average Dry Weather Flow (DADWF) of 1,750kL/day, being 3,500kL/day on any day.
G2	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities .
G3	The activity must be undertaken in accordance with written procedures that: - identify potential risks to the environment from the activity during routine operations, closure and an emergency; - establish and maintain control measures that minimise the potential for environmental harm; - ensure plant, equipment and measures are maintained in a proper and effective condition; - ensure plant, equipment and measures are operated in a proper and effective manner; - ensure that staff are trained in and aware of their obligations under the <i>Environmental Protection Act 1994</i>; and - ensure that reviews of environmental performance are undertaken at least annually.
G4	All information and records required by the conditions of this environmental authority must be kept for a minimum of five years with the exception of environmental monitoring results which must be kept until surrender of this environmental authority. All information and records required by the conditions of this environmental authority must be provided to the administering authority upon request and in the format requested.
G5	An annual monitoring report must be prepared and submitted to the administering authority by 30 November each year, for the preceding financial year.
G6	Any breach of a condition of this environmental authority must be reported to the administering authority as soon as practicable within 24 hours of becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions taken.

G7	You must record the following details for all environmental complaints received: 1. date and time complaint was received; 2. name and contact details of the complainant when provided and authorised by the complainant; 3. nature of the complaint; 4. investigations undertaken; 5. conclusions formed; and 6. actions taken.
G8	When required by the administering authority , monitoring must be undertaken in the manner prescribed by the administering authority to investigate a complaint of environmental nuisance arising from the activity. The monitoring results must be provided within 10 business days to the administering authority upon its request.
G9	An appropriately qualified person(s) must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.
G10	All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) certification, or an equivalent certification, for such analyses. Note: The only exception to this condition is for in situ monitoring of pH, Ammonia, Dissolved Oxygen, Free Chlorine Residual, Total Chlorine and Electrical Conductivity.
G11	Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system .
Agency interest: Air	
Condition number	Condition
A1	Odours or airborne contaminants must not cause environmental nuisance at a sensitive place or commercial place .
Agency interest: Water	
Condition number	Condition
W1	Treated sewage effluent may be released to waters only when no more effluent is able to be stored in wet weather storages, and further irrigation of treated sewage effluent to land would otherwise be in excess of the maximum irrigation rate as per condition L1.

W2

The only contaminants to be released to surface waters are treated sewage effluent from the sewage treatment plant to waters described as Dent Passage, Coral Sea through release point W1 in accordance with *Table 1 - Surface water release limits* and the associated requirements.

Table 1 - Surface water release limits

Release Point Name	Quality characteristic (units)	Minimum	Long-term 50th percentile	Long term 80 th percentile	Long-term 90 th percentile	Maximum
W1	BOD5 (mg/L)			7.5		15
W1	Daily Volume (L)					Monitor only
W1	Total Suspended Solids (mg/L)			10		20
W1	Total Nitrogen (mg/L as N)		3.0		5.0	10
W1	Ammonia (mg/L as N)					1.0
W1	Total Phosphorus (mg/L as P)		0.3		1.0	2.0
W1	pH (pH units)	6.5				8.5
W1	Dissolved Oxygen (mg/L)	2.0				
W1	Enterococci (cfu/100mL)					<200cfu/100mL
W1	Free Chlorine Residual (mg/L)					0.7
W1	Total Chlorine (mg/L)					Monitor only

Associated requirements

- Release point W1 is identified as the outfall to Dent Passage, Coral Sea, as per **Appendix 1 – Site Plan**, which is located at E 703183.454, N 7747919.783, Zone 55.
- Indicators for TN and TP must be done as 24 hour composite samples.
- Sampling must be in accordance with the Monitoring and Sampling Manual and all monitoring devices must be effectively calibrated and maintained.
- Monitoring must be undertaken during a release.
- Samples must be representative of the release.
- Releases must be reported via the department's online Water Tracking and Electronic Reporting System (WaTERS).

W4	The outfall pipeline for release point W1 must be constructed and maintain in accordance with the following specifications: 1. 250m in length; 2. a hydraulic capacity of 260 L/s; and 3. the outfall must always be submerged to a depth of at least at least 20 metres below Low Water Datum.
W5	You must undertake regular investigations of additional treated water reuse measures and/or treatment technologies to further reduce the release of contaminants to waters. The investigations must inform a Contaminant and Release Reduction Strategy in accordance with following objectives: 1. implementation of cost-effective additional or alternative treatment technologies; and 2. implementation of cost-effective reuse options.
W6	You must prepare a report on the outcomes of the investigation and the current level of water reuse, including justification where reuse options are not adopted, and provide the report to the administering authority biennially.
Agency interest: Noise	
Condition number	Condition
N1	Other than as permitted within this environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.
N2	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: 1. L_A 10, adj, 10 mins; 2. L_A 1, adj, 10 mins; 3. L_A, max adj, T; 4. the level and frequency of occurrence of impulsive or tonal noise; 5. atmospheric conditions including wind speed and direction; 6. effects due to extraneous factors such as traffic noise; and 7. location, date, and time of recording.
Agency interest: Land	
Condition number	Condition
L1	The only contaminants permitted to be released to land are treated effluents to the land areas shown in Appendix 1 – Site Plan in compliance with the limit levels stated in <i>Table 2 (Release limits – Land)</i> and associated requirements. Table 2 (Release limits - Land)

	Release limits					
	Quality Characteristic	Units	Minimum	Mean	Maximum	Monitoring Frequency
	Irrigation rate	mm/day			2	Daily
	E.coli	Colony forming units/100 ml			<10	Weekly
	pH	Scale	6		8.5	Weekly
	Total Nitrogen	mg/L as Nitrogen		9.2	10	Monthly
	Total Phosphorus	mg/L as Phosphorus		1.9	2.0	Monthly
	Total dissolved salts	mg/L			1,120	Monthly
	Electrical conductivity	µS/cm			3,000	Daily
	Associated requirements: 1. A single irrigation event and/or daily application must not exceed 2 mm of irrigation regardless of weather, and must be evenly distributed across the irrigation area; and 2. The irrigation area must be maintained with an appropriate crop in a viable state; and 3. Monitoring must be in accordance with the administering authority's latest Water Quality Sampling Manual and all monitoring devices must be effectively calibrated and maintained; and 4. Releases of treated sewage effluent must not occur outside of the designated irrigation area indicated on Appendix 1 – Site Plan; and 5. Monitoring must be undertaken when treated sewage is being irrigated, unless irrigation has ceased for longer than the relevant parameters specified minimum frequency (e.g. if TSS was only required to be monitored once a week, then a TSS sample would not be required after the first week following cessation of the release; and 6. Indicators for TN and TP are recommended to be done as grab samples.					
L2	The allocated land area for treated sewage irrigation (the irrigation area) for Stage 1 must be at least 60.7ha in size.					
L3	An additional 500m ² of land must be made available for each m ³ of treated effluent produced, up to a maximum of 80ha in total.					
L4	The sewage influent volume of the sewage treatment plant must be measured daily.					
L5	A Receiving Environment Monitoring Program must be designed and implemented by an appropriately qualified person to monitor the effects of the activity on land.					
L6	The Receiving Environment Monitoring Program for release of contaminants to land required by condition L5, must include at least the following:					

	1. soil and sub-soil analysis, including assessment of the soils from representative locations, including type, structure, pH, phosphorus adsorption level and capacity, nutrient status, salinity and sodicity, and cation exchange capacity of the irrigation release areas; 2. determination of the quantity and quality of contaminants applied to the soils from the recycled water irrigation; 3. periodic re-assessment including modelling of the water, nutrient and salt balances and irrigation rate and return period to ensure sustainable use of the irrigation area; 4. reporting of monitoring results and an assessment of the impact of the releases on the irrigation areas; and 5. interpretation of the monitoring results by an appropriately qualified person as to whether environmental harm is being caused as a result of the activity. 6. identification of trigger levels that are suitable for early detection of salinity, sodicity and hydraulic overloading within the land application area by an appropriately qualified person; 7. development of trigger action response procedures that must be developed to reduce salinity, sodicity and hydraulic levels below trigger values in requirement 6; and 8. trigger action response procedures must be undertaken when monitoring indicates that trigger levels identified in requirement 4 have been exceeded.
L7	A Soil Monitoring Report must be prepared by an appropriately qualified person annually, and provided to the administering authority with the annual return. This report must include a summary of all monitoring and determinations required by the condition L6.
L8	Where actions are recommended to be undertaken in a Soil Monitoring Report as required by condition L5, these actions must be undertaken within three months of receiving the recommendation, or otherwise within a timeframe agreed to by the administering authority .
L9	The irrigation of effluent must be carried out in a manner such that: 1. vegetation is not damaged; 2. soil erosion and soil structure damage is avoided; 3. there is no surface ponding of effluent; 4. percolation of effluent beyond the plant root zone is minimised; 5. the capacity of the land to assimilate nitrogen, phosphorus, salts, organic matter as measured by oxygen demand and water is not exceeded; and 6. the quality of ground water is not adversely affected.
L10	You must install and maintain wet weather storage with a volume of at least 2.18ML for storage of treated waste water.
L11	You must take all reasonable and practical steps to drain the wet weather storage when the wet weather storage is in use.
Agency interest: Waste	
Condition number	Condition
WA1	All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.

Definitions for Part 1

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

Administering authority means the Department of Environment and Science or its successor.

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

cfu - means colony forming unit.

Commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

Day means any 24-hour period of a calendar day.

Design Average Dry Weather Flow (DADWF) means the average dry weather flow of the maximum design capacity of the sewage treatment plant.

Dust sensitive place means -

1. a dwelling, mobile home or caravan park, residential marina or other residential place; a motel, hotel or hostel;
2. a kindergarten, school, university or other educational institution; a medical centre or hospital,
3. a protected area;
4. a park or gardens; or
5. a place used as an office or for business or commercial purposes and includes the curtilage of any such place
6. **Environmental nuisance** as defined in Chapter 1 of the *Environmental Protection Act 1994*.

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

L_{A10,adj,10mins} 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_{A1,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

L_{A,max adj,T} means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

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

mg/L means milligrams per litre.

NATA means National Association of Testing Authorities.

Noxious means harmful or injurious to health or physical well-being.

NTU means nephelometric turbidity units.

Odour sensitive place has the same meaning as a "dust sensitive place"

Receiving Environment Monitoring Program means a monitoring program designed to monitor and assess the potential impacts of controlled and/or uncontrolled releases of contaminants to the environment from the activity.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

Sensitive place means –

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a public, park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019; or
8. the area within the curtilage of any of the above places.

Site means the place to which this environmental authority relates or the premises to which this environmental authority relates.

Stage 1 refers to treatment of sewage where the sewage influent volume of the sewage treatment plant is less than 1,214kL/day.

Stage 2 refers to ongoing treatment of sewage from the first day that sewage influent volume of the sewage treatment plant exceeds 1,214kL/day.

Viable state or **viability** means able to live and grow.

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.

WaTERS is the Water Tracking and Electronic Reporting System database formally known as the Point Source Database.

You means the holder of the environmental authority.

Appendix 1 – Site Plan



Part 2 - Dredging

Environmentally relevant activity	Location
ERA 16 - Extraction and screening activities - 1(a) - Dredging, in a year, 1000t to 10000t of material	Lot 8 Plan CP861993

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

Agency interest: General	
Condition number	Condition
A1G1	Scope. This development approval authorises the dredging of a maximum 20,000 cubic metres of terrestrial material to remove a man-made island lot 8 CP861993 and groyne as shown on Drawing No. SKCW.001 Rev. B, attachment A.
A1G2	Access to the beach. Only a single entry access point to the beach is permitted, shown as 'Access' on Drawing No. SKCW.001 Rev. B, attachment A.
A1G3	Prevent and/or minimise likelihood of environmental harm. In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused.
A1G4	Activity Based Management Plan. From commencement of an ERA to which this approval relates, an activity based management plan (ABMP) must be implemented. The ABMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The ABMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out. The ABMP must address the following matters: (a) Environmental commitments – a commitment by senior management to achieve specified and relevant environmental goals. (b) Identification of environmental issues and potential impacts. (c) Control measures for routine operations to minimise likelihood of environmental harm. (d) Contingency plans and emergency procedures for non-routine situations. (e) Organisational structure and responsibility. (f) Effective communication. (g) Monitoring of contaminant releases. (h) Conducting environmental impact assessments. (i) Staff training. (j) Record keeping. (k) Periodic review of environmental performance and continual improvement.

A1G5	The activity based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
A1G6	Notification. Telephone the DERM's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
A1G7	Information About Spills. A written notice detailing the following information must be provided to the DERM within 14 days of any advice provided in accordance with condition A1G4: a) the name of the operator, including their approval / registration number; b) the name and telephone number of a designated contact person; c) quantity and substance released; d) vehicle and registration details; e) person/s involved (driver and any others); f) the location and time of the release; g) the suspected cause of the release; h) a description of the effects of the release; i) the results of any sampling performed in relation to the release; j) actions taken to mitigate any environmental harm caused by the release; and k) proposed actions to prevent a recurrence of the release.
A1G8	Spill Kit. An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site, and in each vehicle used if the activity is a mobile ERA.
A1G9	Spill Kit Training. Anyone operating under this approval must be trained in the use of the spill kit.
A1G10	Acid Sulphate Soils If acid sulphate soils are found to be present through testing of areas subject to excavation in accordance with the requirements of State Planning Policy 2/02, then the works must be managed to prevent release of acidic drain water to any natural waters and comply with procedures outlined in the current version of the Queensland Acid Sulphate Soils Technical Manual Soil Management Guidelines.
A1G11	Acid sulfate soils must be managed such that contaminants are not directly or indirectly released to any waters. In the event of severe weather events, including but not limited to high rainfall, flooding and cyclone, acid sulfate soils must be managed to ensure these soils and associated contaminated waters are not discharged from the site.
A1G12	Excluding rock, all excavated material should be placed in a bunded area as shown in Drawing SKCW.001 Revision A., with an impervious base until tested to determine if it contains acid sulfate soils. Should the excavated material contain acid sulfate soils treatment would be required before final placement at the island quarry.

A1G13	Stockpiling and treatment areas to be located at a minimum of 50m from any surface waters. Stockpiles and treatment areas must be managed as per the <i>Queensland Acid Sulfate Manual</i> . The risks of stockpiling ASS is high and should be undertaken as a short term activity (time frames to be implemented as per <i>Queensland Acid Sulfate Manual</i>).
A1G14	Records and proof must be kept of the treatment rates, validation results and fine agricultural lime required to neutralise the maximum amount of existing and potential soil acidity that could be generated as a result of the disturbance. These records must be provided to the Department as requested.
A1G15	Maintenance Of Measures and Equipment. The operator of an ERA to which this approval relates must: (a) install all measures and equipment necessary to ensure compliance with the conditions of this approval; and (b) maintain such measures and equipment in a proper and efficient condition; and (c) operate such measures and equipment in a proper and efficient manner.
A1G16	Records. Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
A1G17	All records required by this approval must be kept for 5 years.
Agency interest: Air	
Condition number	Condition
A1A1	Dust Nuisance. The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A1A2	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.
A1A3	When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include: a) for a complaint alleging dust nuisance, dust deposition; and b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.

A1A4	Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place: (a) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions); OR (b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with: - Australian Standard AS 3580.9.6 of 2003 (or more recent editions) ‘Ambient air – Particulate matter – Determination of suspended particulate PM10 high-volume sampler with size-selective inlet – Gravimetric method’; or - any alternative method of monitoring PM10 which may be permitted by the ‘Air Quality Sampling Manual’ as published from time to time by the administering authority.																																																				
Agency interest: Land																																																					
Condition number	Condition																																																				
A1L1	Preventing Contmainant Release To Land. Contaminants must not be released to land.																																																				
Agency interest: Noise																																																					
Condition number	Condition																																																				
A1N1	Noise Nuisance. Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.																																																				
A1N2	All noise from activities must not exceed the levels specified in Table 1 – Noise limits at any nuisance sensitive or commercial place. Table 1 – Noise limits <table><tr><th rowspan="3">Noise level dB(A) measured as</th><th colspan="3">Monday to Saturday</th><th colspan="3">Sundays and public holidays</th></tr><tr><th>7am – 6pm</th><th>6pm – 10pm</th><th>10pm – 7am</th><th>9am – 6pm</th><th>6pm – 10pm</th><th>10pm – 9am</th></tr><tr><th colspan="6">Noise measured at a ‘Noise sensitive place’</th></tr><tr><td>LA 10, adj, 10 mins</td><td>Bkg + 5</td><td>Bkg + 5</td><td>Bkg + 0</td><td>Bkg + 5</td><td>Bkg + 5</td><td>Bkg + 0</td></tr><tr><td>LA 1, adj, 10 mins</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td></tr><tr><th></th><th colspan="6">Noise measured at a Commercial place</th></tr><tr><td>LA 10, adj, 10 mins</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td><td>Bkg + 10</td><td>Bkg + 10</td><td>Bkg + 5</td></tr></table>						Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays			7am – 6pm	6pm – 10pm	10pm – 7am	9am – 6pm	6pm – 10pm	10pm – 9am	Noise measured at a ‘Noise sensitive place’						LA 10, adj, 10 mins	Bkg + 5	Bkg + 5	Bkg + 0	Bkg + 5	Bkg + 5	Bkg + 0	LA 1, adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5		Noise measured at a Commercial place						LA 10, adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays																																																	
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LA 10, adj, 10 mins	Bkg + 5	Bkg + 5	Bkg + 0	Bkg + 5	Bkg + 5	Bkg + 0																																															
LA 1, adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5																																															
	Noise measured at a Commercial place																																																				
LA 10, adj, 10 mins	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5																																															

	LA 1, adj, 10 mins	Bkg + 15	Bkg + 15	Bkg + 10	Bkg + 15	Bkg + 15	Bkg + 10
A1N3	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: - airblast overpressure (dB (Lin) Peak) - 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.						
A1N4	The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Science’s Noise Measurement Manual.						
Agency interest: Social							
Condition number	Condition						
A1S1	Complaint Response. The operator of the ERA must 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							
Condition number	Condition						
A1W1	Waste Handling. All waste generated in carrying out the activity must be disposed at a facility that can lawfully accept that waste.						

Definitions for Part 2

Words and phrases used throughout this permit¹ are defined below. Where a definition for a term used in this permit^{Error! Bookmark not defined.} is sought and the term is not defined within this permit^{Error! Bookmark not defined.} the definitions provided in the relevant legislation shall be used.

“administering authority” means the Department of Environment and Science or its successor.

“annual return” means the return required by the annual notice (under section 316 of the *Environmental Protection Act 1994*) for the section 73F registration certificate that applies to the development approval.

“approval” means ‘notice of development application decision’ or ‘notice of concurrence agency response’ under the *Integrated Planning Act 1997*.

“approved plans” means the plans and documents listed in the approved plans section in the notice attached to this development approval.

“artificial waterway” means an artificial channel, lake or other body of water. Artificial waterway includes –

- an artificial channel that is formed because the land has been reclaimed from tidal water and is intended to allow boating access to allotments on subdivided land;
- other artificial channels subject to the ebb and flow of the tide; and
- any additions or alterations to an artificial waterway.

“authorised place” means the place authorised under this development approval for the carrying out of the specified environmentally relevant activities.

“canal” means an artificial waterway surrendered to the State. A canal is an artificial waterway connected, or intended to be connected, to tidal water; and from which boating access to the tidal water is not hindered by a lock, weir or similar structure.

“clinical waste” means waste that has the potential to cause disease including, for example, the following:

- animal waste;
- discarded sharps;
- human tissue waste;
- laboratory waste.

“coastal dune” means a ridge or hillock of sand or other material on the coast and built up by the wind.

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

“dredge spoil” means material taken from the bed or banks of waters by using dredging equipment or other equipment designed for use in extraction of earthen material.

“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.

“Department 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*.

“erosion prone area” means an area declared to be an erosion prone area under section 70(1) of the *Coastal Protection and Management Act 1995*.

“high water mark” means the ordinary high water mark at spring tides.

“infectious waste” means waste containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.

“intrusive noise” means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration –

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.

In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 – 1997 Acoustics – Description and Measurement of Environmental Noise Part 2 – Application to Specific Situations.

“ $L_{A\ 10, \text{adj}, 10 \text{ mins}}$ ” 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.

“ $L_{A\ 1, \text{adj}, 10 \text{ mins}}$ ” 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.

“ $L_{A, \text{max adj}, T}$ ” means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

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

“mg/L” means milligrams per litre.

“noxious” means harmful or injurious to health or physical well being.

“NTU” means nephelometric turbidity units.

“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 2004* 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 reasonable used by persons at that place.

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

“ponded pasture” means a permanent or periodic pondage of water in which the dominant plant species are pasture species used for grazing or harvesting.

“protected area” means –

- a protected area under the *Nature Conservation Act 1992*; or
- a marine park under the *Marine Parks Act 2004*; or
- a World Heritage Area.

“quarry material” means material on State coastal land, other than a mineral within the meaning of any Act relating to mining. Material includes for example stone, gravel, sand, rock, clay, mud, silt and soil, unless it is removed from a culvert, stormwater drain or other drainage infrastructure as waste material.

“regulated waste” means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* (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.

“tidal water” means the sea and any part of a harbour or watercourse ordinarily within the ebb and flow of the tide at spring tides.

“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 a 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.

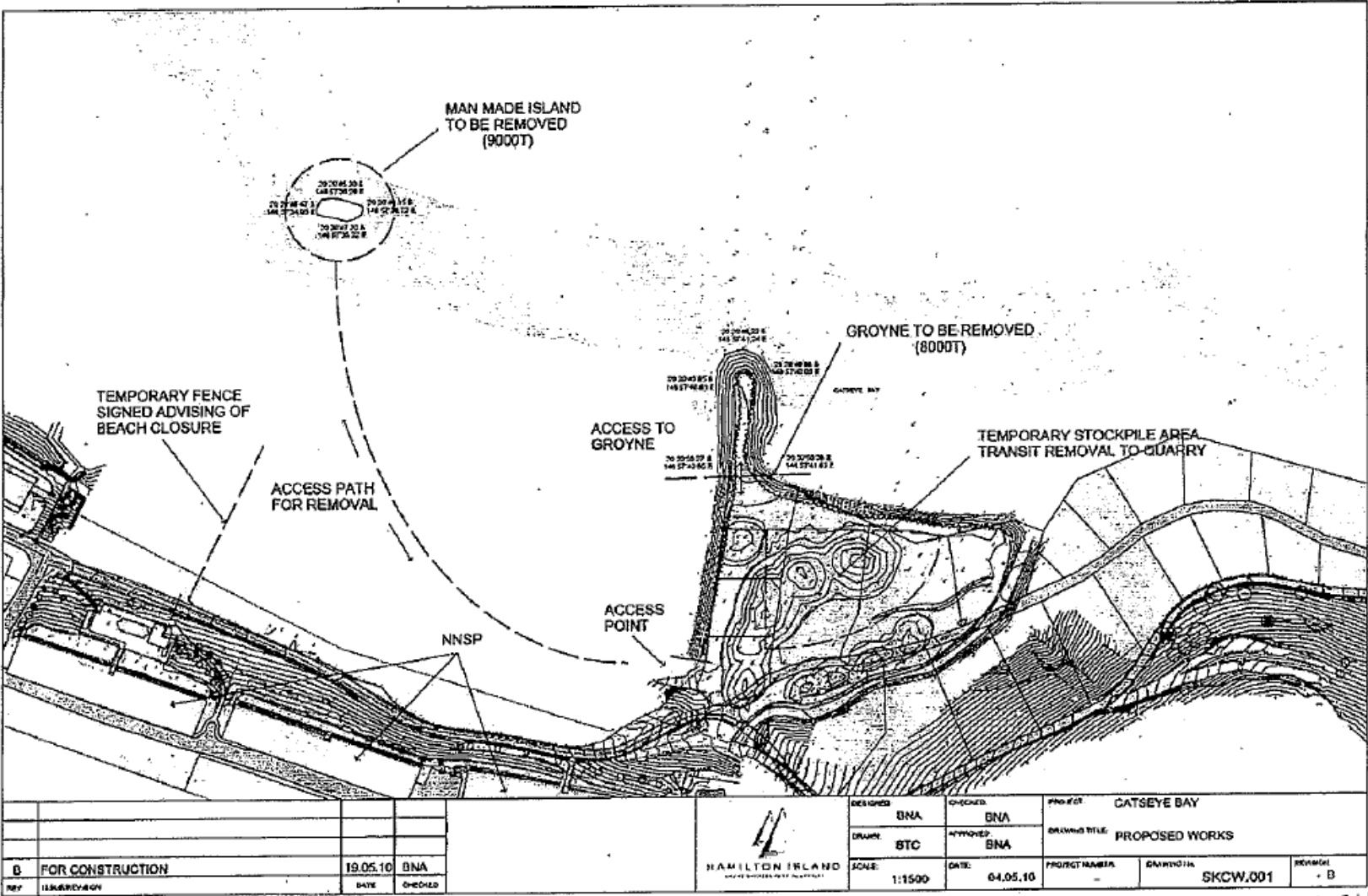
“works” or **“operation”** means the development approved under this development approval.

“you” means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

“50th percentile” means not more than three (3) of the measured values of the quality characteristic are to exceed the stated release limit for any six (6) consecutive samples for a release/monitoring point at any time during the environmental activity(ies) works.

“80th percentile” means not more than one (1) of the measured values of the quality characteristic is to exceed the stated release limit for any five (5) consecutive samples for a sampling point at any time during the environmental activity(ies) works.

Attachment A



END OF CONDITIONS

Part 3 – Boat Maintenance or Repair

Environmentally relevant activity	Location
ERA 49 – Boat Maintenance or Repair – Operating, on a commercial basis, a boat maintenance or repair facility for maintaining or repairing hulls, superstructure or mechanical components of boats or seaplanes, or cleaning or maintaining hulls in water at another place on a commercial basis	Lot 8 Plan CP861993

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

Agency interest: General	
Condition number	Condition
G1	Prevent and/or minimise likelihood of environmental harm. In carrying out an ERA to which this approval relates, all reasonable and practicable measures must be taken to prevent and / or minimise the likelihood of environmental harm being caused.
G2	Maintenance Of Measures, Plant and Equipment. The operator of an ERA to which this approval relates must: (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and (b) 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.
G3	Records. Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
G4	All records required by this approval must be kept for 5 years.
G5	Site Based Management Plan. From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out. The SBMP must address the following matters: (a) Environmental commitments – a commitment by senior management to achieve specified and relevant environmental goals. (b) Identification of environmental issues and potential impacts. (c) Control measures for routine operations to minimise likelihood of environmental harm. (d) Contingency plans and emergency procedures for non-routine situations. (e) Organisational structure and responsibility. (f) Effective communication.

	(g) Monitoring of contaminant releases. (h) Conducting environmental impact assessments. (i) Staff training. (j) Record keeping. (k) Periodic review of environmental performance and continual improvement.
G6	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
G7	Notification. Telephone the DES's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.
G8	Information About Spills A written notice detailing the following information must be provided to the DES within 14 days of any advice provided in accordance with condition "G7": (a) the name of the operator, including their approval / registration number; (b) the name and telephone number of a designated contact person; (c) quantity and substance released; (d) vehicle and registration details; (e) person/s involved (driver and any others); (f) the location and time of the release; (g) the suspected cause of the release; (h) a description of the effects of the release; (i) the results of any sampling performed in relation to the release, (j) actions taken to mitigate any environmental harm caused by the release; and (k) proposed actions to prevent a recurrence of the release.
G9	Monitoring A competent person(s) must conduct any monitoring required by this approval.
G10	Spill Kit An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site, and in each vehicle used if the activity is a mobile ERA.
G11	Spill Kit Training Anyone operating under this approval must be trained in the use of the spill kit.
G12	Equipment Calibration. All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.
Agency interest: Air	
Condition number	Condition

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	Dust Nuisance The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A3	When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include: a) for a complaint alleging dust nuisance, dust deposition; and/or b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.
A4	Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place: a) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions); OR b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometer (µm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with: - Australian Standard AS 3580.9.6 of 2003 (or more recent editions) 'Ambient air – Particulate matter – Determination of suspended particulate PM10 high-volume sampler with size-selective inlet – Gravimetric method'; or - any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.
Agency interest: Land	
Condition number	Condition
L1	Contaminants must not be released to land.
L2	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm. <i>NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 – Storage and Handling of Flammable and Combustible Liquids.</i>

L3	Any spills of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Spills must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or other materials to any stormwater drainage system, roadside gutter or waters.
Agency interest: Noise	
Condition number	Condition
N1	Noise Nuisance Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.
Agency interest: Social	
Condition number	Condition
S1	Complaint Response The operator of the ERA must 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	
Condition number	Condition
W1	Any loss of spillage of regulated wastes must be cleaned up forthwith.
W2	Regulated Waste Disposal Regulated wastes must be disposed of at an appropriately registered regulated waste disposal facility.
W3	Waste handling. All regulated waste removal from the site must be removed by a person who holds a current approval to transport such waste under the provisions of the <i>Environmental Protection Act 1994</i> .
Agency interest: Water	
Condition number	Condition
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.

Definitions

Words and phrases used throughout this permit¹ are defined below. Where a definition for a term used in this permit^{Error! Bookmark not defined.} is sought and the term is not defined within this permit^{Error! Bookmark not defined.} the definitions provided in the relevant legislation shall be used.

“administering authority” means the Department of Environment and Science or its successor.

“annual return” means the return required by the annual notice (under section 316 of the *Environmental Protection Act 1994*) for the section 73F registration certificate that applies to the development approval.

“approval” means ‘notice of development application decision’ or ‘notice of concurrence agency response’ under the *Integrated Planning Act 1997*.

“approved plans” means the plans and documents listed in the approved plans section in the notice attached to this development approval.

“artificial waterway” means an artificial channel, lake or other body of water. Artificial waterway includes –

- an artificial channel that is formed because the land has been reclaimed from tidal water and is intended to allow boating access to allotments on subdivided land;
- other artificial channels subject to the ebb and flow of the tide; and
- any additions or alterations to an artificial waterway.

“authorised place” means the place authorised under this development approval for the carrying out of the specified environmentally relevant activities.

“clinical waste” means waste that has the potential to cause disease including, for example, the following:

- animal waste;
- discarded sharps;
- human tissue waste;
- laboratory waste.

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

“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.

“Environmental Protection Agency” means the department or agency (whatever called) administering the *Coastal Protection and Management Act 1995* or the *Environmental Protection Act 1994*.

“erosion prone area” means an area declared to be an erosion prone area under section 70(1) of the *Coastal Protection and Management Act 1995*.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service.

“high water mark” means the ordinary high water mark at spring tides.

“infectious waste” means waste containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.

“intrusive noise” means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration –

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.

In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 – 1997 Acoustics – Description and Measurement of Environmental Noise Part 2 – Application to Specific Situations.

“ $L_{A\ 10, \text{adj}, 10 \text{ mins}}$ ” 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.

“ $L_{A\ 1, \text{adj}, 10 \text{ mins}}$ ” 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.

“ $L_{A, \text{max adj}, T}$ ” means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

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

“mg/L” means milligrams per litre.

“noxious” means harmful or injurious to health or physical well being.

“NTU” means nephelometric turbidity units.

“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 2004* 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 reasonable 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 1998* (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.

“tidal water” means the sea and any part of a harbour or watercourse ordinarily within the ebb and flow of the tide at spring tides.

“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 a 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.

“works” or **“operation”** means the development approved under this development approval.

“you” means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

Part 4 – Regulated Waste Transport

Environmentally relevant activity	Location
ERA 57 - Regulated Waste Transport - Transporting regulated waste	Adjacent to Lot 8 on CP861993

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

Schedule A - Activity	
Condition number	Condition
A1	In carrying out an environmentally relevant activity (ERA) to which this approval relates, all reasonable and practicable measures must be taken to prevent and/or minimise the likelihood of environmental harm being caused.
A2	Contaminants must not be released to the environment.
A3	Integrated Environmental Management System The Hamilton Island Enterprises Pty Ltd Integrated Environmental Management System (IEMS) (developed by GHD) must be updated and submitted to the administering authority within 3 months following the commencement of an environmentally relevant activity to which this permit relates. The IEMS must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The IEMS must also provide for the review and 'continual improvement' in the overall environmental performance of all ERAs that are carried out at the approved place. The IEMS must address the following matters: (a) Environmental commitments – a commitment by senior management to achieve specified and relevant environmental goals; (b) Identification of environmental issues and potential impacts; (c) Control measures for routine operations to minimise the likelihood of environmental harm; (d) Contingency plans and emergency procedures for non-routine situations; (e) Effective communication; (f) Conducting environmental impact assessments; (g) Staff training; (h) Record keeping; and (i) Period review of environmental performance and continual improvement.
A4	The Integrated Environmental Management System must not be implemented or amended in a way that contravenes any condition of this permit. If there is a potential conflict between the IEMS and the conditions of this permit the conditions of this permit take precedent.

A5	Display of Development approval At all times, a copy of: a) the registration certificate issued by the Department of Environment and Science (DES) for regulated waste transport activities; and b) the appropriate emergency guides in relation to the waste transported must be carried in the cabin of each vehicle used to transport regulated waste and when requested, be presented to an authorised officer of DES or relevant regulatory agency.
A6	Records Unless otherwise stated as a condition of this approval, all records required by this approval must be kept for at least 7 years.
A7	Notification The holder of this approval must notify the administering authority as soon as practicable after, but within 24 hours of, any emergency, incident or event, which results in the release of contaminants not in accordance with, or reasonable expected to be not in accordance with, the conditions of this approval.
A8	Within 10 days of any notification provided under condition A7, the holder of this approval must provide written information on the emergency, incident or event, including but not limited to: (a) the name of the holder and the approval number; (b) the name and telephone number of a designated contact person; (c) the nature of the emergency, incident, event and/or non-compliance and the time and date of the release; (d) the quantity and nature of the substance released; (e) the location of the release; (f) the names of the person(s) involved in the release and/or clean up; (g) the suspected cause of the release; (h) a description of the effects of the release; (i) details of the area of impact; (j) the results of any sampling performed in relation to the release; (k) the actions taken to mitigate any environmental harm caused by the release; (l) the success of any actions taken to mitigate the risk or extent of environmental harm; and (m) the proposed actions to prevent a recurrence of the release.
A9	All persons engaged in the conduct of an ERA, including but not limited to employees and contract staff, must: (a) be trained in the procedures and practices necessary to: (i) comply with the conditions of this approval; and (ii) prevent environmental harm during normal operation and emergencies; or (b) be under the close supervision of such a trained person.
A10	Spill kits Appropriate spill kit(s) and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with this permit must be kept in each vehicle and appropriate persons trained in their use.

A11	Anyone operating under this development approval must be trained in the use of the spill kit and procedural guides.
A12	Cease Activities in the Event of Material or Serious Environmental Harm If an operator of an ERA to which this approval relates becomes aware of material or serious environmental harm as a result of carrying out the activity, then the said activity must cease immediately and notify the administering authority. Remedial measures are then to be implemented forthwith.
Schedule B - Air	
Condition number	Condition
B1	Nuisance Notwithstanding any other condition of this development approval, the release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive place.
B2	On receipt or notification of an odour complaint, the development permit holder must: (a) address the complaint including the use of appropriate dispute resolution if required; (b) record details of the nature of the complaint according to Condition G1; and (c) immediately implement odour abatement measures so that emissions from the activity do not result in further environmental nuisance.
Schedule C - Water	
Condition number	Condition
C1	Structures, tanks, etc. All structures, tanks and the like, used for the storage or treatment of recycled water at or on the approved place must be constructed, installed and maintained: (a) so as to prevent the release of effluent through the structures, tanks and the like to the environment (including groundwater) and; (b) so as to ensure the stability of the structures, tanks and the like.
C2	The maintenance and cleaning of vehicles, transport skips and any other equipment must be carried out in areas where contaminants cannot be released to any waters.
C3	The holder of this permit must comply with the conditions of Registration Certificate 900004215 issued by Maritime Safety Queensland under the <i>Marine Safety Act 2002</i> in regard to management and operation of the barge during adverse or extreme environmental conditions.

Schedule D - Noise	
Condition number	Condition
D1	Noise nuisance Noise from activities must not cause an environmental nuisance at any nuisance sensitive place.
D2	Noise monitoring When requested and within the time frame specified by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 7 days to the administering authority. Monitoring must include: (a) LAeq, adj, 15min; (b) LA10, adj, 15 min; (c) LA1, adj, 15min; (d) The level and frequency of occurrence of impulsive or tonal noise; (e) Atmospheric conditions including wind speed and direction; (f) Effects due to extraneous factors such as traffic noise; and (g) Location, date and time of recording. <i>Note: The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Science's Noise Measurement Manual.</i>
Schedule E - Waste	
Condition number	Condition
E1	Wastes Regulated waste must be handled and transferred in a proper and efficient manner to prevent any leakage or spillage of waste.
E2	Wastes must not be stored, transferred or disposed contrary to any condition of this approval.
E3	All regulated waste removed from the site must be removed by a person who holds a current approval to transport such wastes under the <i>Environmental Protection Act 1994</i> .
E4	A record of all regulated waste must be kept detailing the following information; a) date of pickup of waste; b) description of waste; c) quantity of waste; d) origin of the waste; and e) destination of the waste
E5	All waste generated in carrying out the activity must be disposed of at a facility that can lawfully accept that waste.
E6	Nightsoil may only be transported in the galvanised steel containers as specified in <i>Hamilton Island Enterprises Ltd Regulated Waste Transportation Development Application</i> authored by <i>McCollum Environmental Management Services (Final Version 18 May 2011)</i> .

E7	The permit holder must not cause or permit incompatible wastes to be mixed in the same container.
E8	All nightsoil transport skips must be roofed, rubber sealed and locked for the duration of transport to the receiving landfill.
Scheule F – Land	
Condition number	Condition
L1	Activities must be conducted in a way that prevents any potential or actual release of contaminants to land.
Scheule G – Community	
Condition number	Condition
G1	Complaint response The holder of this approval must 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.

Definitions for Part 4

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

“administering authority” means the Department of Environment and Science or its successor.

“annual return” means the return required by the annual notice (under section 316 of the *Environmental Protection Act 1994*) for the section 73F registration certificate that applies to the development approval.

“approval” means ‘notice of development application decision’ or ‘notice of concurrence agency response’ under the *Sustainable Planning Act 2009*.

“approved plans” means the plans and documents listed in the approved plans section in the notice attached to this development approval.

“authorised place” means the place authorised under this development approval for the carrying out of the specified environmentally relevant activities.

“Department of Environment and Science” 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.

“ $L_{A, max adj, T}$ ” means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

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

“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 2004* 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 reasonable used by persons at that place.

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

“regulated waste” means waste that –

- is commercial or industrial waste, whether or not it has been immobilised or treated; and
- is of a type, or contains a constituent of a type, mentioned in Schedule 7 of the *Environmental Protection Regulation 2008*.

Regulated waste includes -

- for an element – any chemical compound containing the element; and
- anything that contains residues of 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.

“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 a 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.

“works” or **“operation”** means the development approved under this development approval.

“you” means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

Part 5 – Water treatment

Environmentally relevant activity	Location
ERA 64 - Water treatment - 1(a) - Desalinating, in a day, the following quantity of water, allowing the release of waste only to seawater - 0.5ML to 5ML	Lot 8/CP861993

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

Schedule A - Activity	
Condition number	Condition
A1-1	Prevent and /or minimise likelihood of environmental harm In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this approval. NOTE: This approval authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this approval explicitly authorises that harm. Where there is no condition or the approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.
A2-1	Maintenance of measures, plant and equipment The holder must: - install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and - maintain such measures, plant and equipment in a proper and efficient condition; and - operate such measures, plant and equipment in a proper and efficient manner.
A3-1	Site based management plan From commencement of the activity, a Site Based Management Plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all Environmentally Relevant Activities that are carried out. The site based management plan must address the following matters: - Environmental commitments – a commitment by senior management to achieve environmental goals. - Identification of environmental issues and potential impacts. - Control measures for routine operations to minimise likelihood of environmental

	harm. - Contingency plans and emergency procedures for non-routine situations. - Organisational structure and responsibility. - Effective communication. - Monitoring of the contaminant releases. - Conducting environmental impact assessments. - Staff training. - Record keeping. - Periodic review of environmental performance and continual improvement.
A5-1	Records Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.
A6-1	Records must be kept for five years, and must include the following information: - date of pickup of waste; - description of waste; - cross reference to relevant waste transport documentation; - quantity of waste; - origin of the waste; - destination of the waste; and - intended fate of the waste, for example, type of waste treatment, reprocessing or disposal. NOTE: Records of documents maintained in compliance with a waste tracking system established under the <i>Environmental Protection Act 1994</i> or any other law for regulated waste will be deemed to satisfy this condition.
Schedule B - Air	
Condition number	Condition
B1-2	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 odour sensitive place.
B2-1	Dust nuisance The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.
Schedule C - Water	
Condition number	Condition
C1-1	Monitoring Monitoring must be undertaken and records kept of contaminant releases to waters from the discharge location for the parameters and not less frequently than specified in Schedule C Table

	1. All determinations of the quality of contaminants released must be: - made in accordance with methods prescribed in the latest edition of the Environmental Protection Agency Water Quality Sampling Manual; and - carried out on samples that are representative of the discharge. Schedule C – Table 1 (Release Limits) <table><tr><th rowspan="2">Monitoring point</th><th rowspan="2">Discharge location</th><th rowspan="2">Quality characteristics</th><th colspan="2">Release limit</th><th rowspan="2">Monitoring Frequency</th></tr><tr><th>Minimum</th><th>Maximum</th></tr><tr><td>Prior to release</td><td>W1 on site map (see Schedule I)</td><td>Conductivity</td><td>-</td><td>85,000 µS/cm</td><td>3 monthly</td></tr></table>	Monitoring point	Discharge location	Quality characteristics	Release limit		Monitoring Frequency	Minimum	Maximum	Prior to release	W1 on site map (see Schedule I)	Conductivity	-	85,000 µS/cm	3 monthly
Monitoring point	Discharge location				Quality characteristics	Release limit		Monitoring Frequency							
		Minimum	Maximum												
Prior to release	W1 on site map (see Schedule I)	Conductivity	-	85,000 µS/cm	3 monthly										
C3-2	Release to waters Contaminants must only be released to waters from the discharge location and in compliance with the release limits listed in Schedule C Table 1. Discharge Location 0.5 – namely release of saline waste waters from the water treatment plant to Dent Passage at W1 (see schedule I, discharge point water treatment plant).														
C3-5	The daily volume of contaminants released to waters must be determined or estimated by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.														
C5-1	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.														
C7-1	Pond conditions All ponds used for the storage or treatment of contaminants, sewage or wastes at or on the authorised place must be constructed, installed and maintained: - so as to minimise the likelihood of any release of effluent through the bed or banks of the pond to any waters (including ground water); - so that a freeboard of not less than 0.5 metres is maintained at all times, except in emergencies; and - so as to ensure the stability of the ponds' construction.														
Schedule D – Noise and vibration															
Condition number	Condition														
D1-1	Noise nuisance Noise from activities must not cause an environmental nuisance at any noise affected premises.														
D2-1	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.
D2-2	The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Science's Noise Measurement Manual.
Schedule E - Waste	
Condition number	Condition
E5-1	Waste handling All regulated waste removed from the site must be removed by a person who holds a current approval to transport such waste under the provisions of the <i>Environmental Protection Act 1994</i>.
Schedule F - Land	
Condition number	Condition
F3-1	Preventing contaminant release to land Contaminants must not be released to land.
F3-2	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm. NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 – Storage and Handling of Flammable and Combustible Liquids.
Schedule G - Community	
Condition number	Condition
G1-1	Complaint response All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.

Definitions – Part 5

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

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

“administering authority” means the Department of Environment and Science or its successor.

“you” means the holder of this Environmental Authority or owner / occupier of the land which is the subject of this Development Approval.

“site” means the place to which this environmental authority relates or the premises to which this development approval relates.

“authorised place” means the place authorised under this environmental authority/development approval for the carrying out of the specified environmentally relevant activities.

“this authority” means this environmental authority/development approval.

“authority” means level 1 licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the *Environmental Protection Act 1994*.

“approval” means ‘notice of development application decision’ or ‘notice of concurrence agency response’ under the *Integrated Planning Act 1997*.

“dust sensitive place” means –

- a dwelling, mobile home or caravan park, residential marina or other residential place;
- a motel, hotel or hostel;
- a kindergarden, school, university or other educational institution;
- a medical centre or hospital;
- a protected area;
- a park or gardens; or
- a place used as an office or for business or commercial purposes and includes the curtilage of any such place.

“odour sensitive place” has the same meaning as a “dust sensitive place”.

“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.

“noxious” means harmful or injurious to health or physical well being.

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

“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 2004 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 reasonable used by persons at that place.

“**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.

“**L_A, max adj, T**” means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

“**noise affected premises**” means a “noise sensitive place” or a “commercial place”.

“**noise sensitive place**” means –

- a dwelling, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area; or
- a park or gardens and includes the curtilage of such place.

“**commercial place**” means a place used as an office or for business or commercial purposes.

“**intrusive noise**” means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration –

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.

In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 – 1997 Acoustics – Description and Measurement of Environmental Noise Part 2 – Application to Specific Situations.

“**protected area**” means –

- a protected area under the Nature Conservation Act 2004; or
- a marine park under the Marine Parks Act 1992; or
- a World Heritage Area.

“**waters**” includes a 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.

“50th percentile” means not more than three (3) of the measured values of the quality characteristic are to exceed the stated release limit for any six (6) consecutive samples for a release/monitoring point at any time during the environmental activity(ies) works.

“80th percentile” means not more than one (1) of the measured values of the quality characteristic is to exceed the stated release limit for any five (5) consecutive samples for a sampling point at any time during the environmental activity(ies) works.

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

“mg/L” means milligrams per litre.

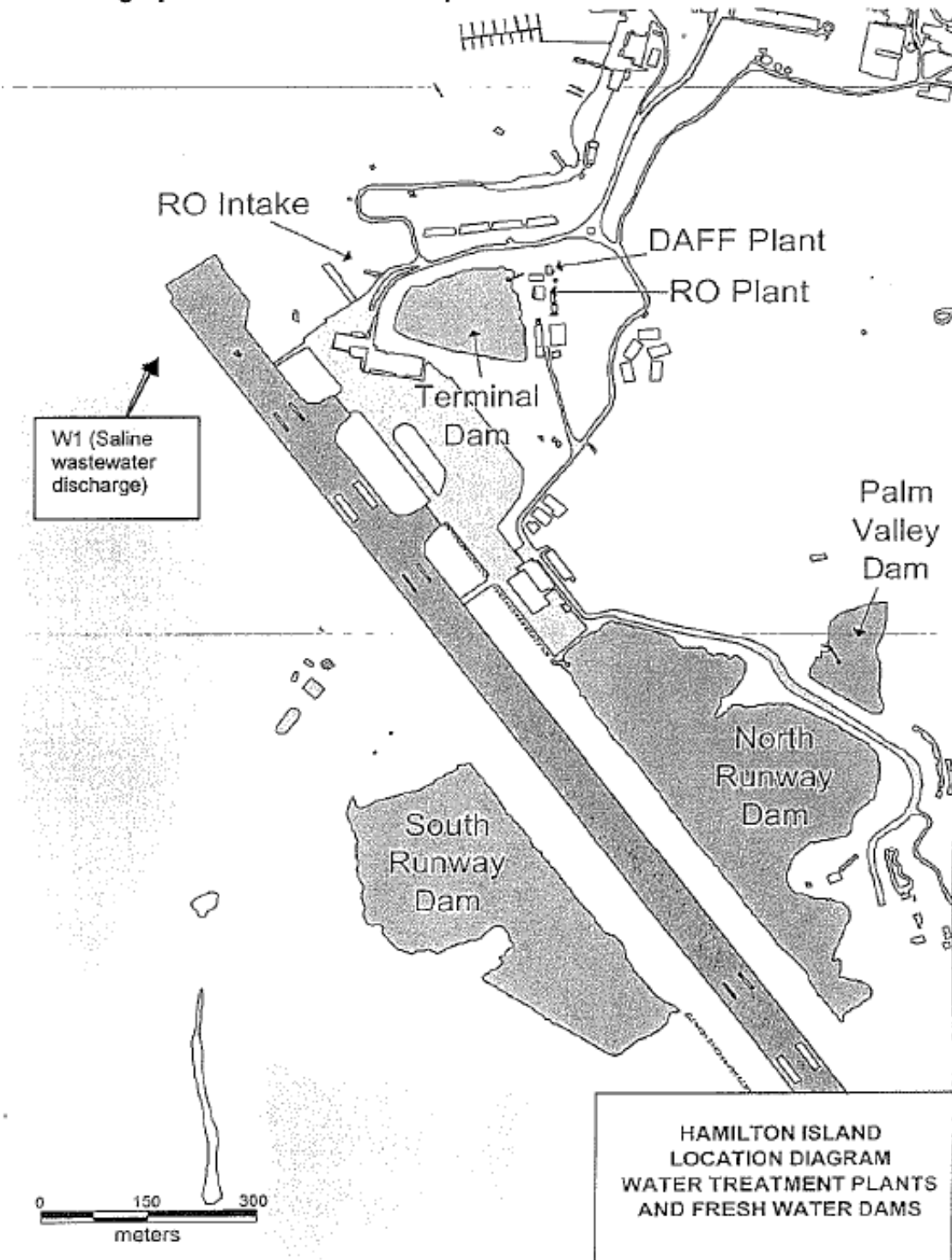
“regulated waste” means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* (whether or not it has been treated or immobilised), and includes:

- for an element – any chemical compound containing the element; and
- anything that has contained the waste.

“annual return” means the return required by the annual notice (under section 316 of the *Environmental Protection Act 1994*) for the section 86(2) licence that applies to the development approval.

Schedule I - Maps / Plans

Discharge point water treatment plant



END OF ENVIRONMENTAL AUTHORITY