QUEENSLAND GOVERNMENT
Environmental Protection Agency

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Enquiries David Everett
Telephone (07) 4153 8618
Your reference
Our reference 7M4/44

2 June 2000

Mr P Wall
Roman Catholic Trust Corporation
for the Diocese of Rockhampton
Shalom College
9 Fitzgerald Street
BUNDABERG QLD 4670

Dear Mr Wall

Attached is the development approval for the sewage treatment plant to service the outdoor education and conference centre on Lot 2, Plan RP849992, County of Cook, Parish of Bingera.

If you have any queries relating to the development approval please contact Mr David Everett at the Bundaberg Office.

Yours sincerely

Shaun Ferris
District Manager (Environmental Operations)
Wide Bay Burnett District

C/c Chief Executive Officer
Burnett Shire Council

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Development application decision notice

Integrated Planning Act 1997 ss3.5.11 and 3.5.15

Applicant:	The Roman Catholic Trust Corporation for the Diocese of Rockhampton
Trading As:	Shalom College
Application no.:	IDAS0054
Date received by EPA:	17 April 2000
Jurisdiction:	*Environmental Protection Act 1994*
Role:	Assessment manager

Description: Outdoor Education and Conference Centre Including an On-Site Sewage Treatment Plant with a Peak Design Capacity of 80 EP.

1 Type of development

- ✓ the start of a new use of the premises; or
- ☐ the re-establishment on the premises of a use that has been abandoned; or
- ☐ a material change in the intensity or scale of the use of the premises; or
- ☐ the holder of an environmental authority, or development approval, for an environmentally relevant activity proposes to carry out works for the construction or alteration of premises, or for the installation or alteration of plant or equipment in premises, for carrying out the activity; and the construction, alteration or installation will result in an increase of 10% or more in the release of contaminant into the environment under the authority or approval.

2 Type of ERA(s)

The development application relates to the following ERA(s):

Lot 2, Plan RP849992, County of Cook, Parish of Bingera

Located at: Lot 2 South Bingera, Pine Creek Road, BINGERA QLD 4670

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

3 Decision on development application

In deciding the development application IDAS0054, the Environmental Protection Agency, as assessment manager: -

- ☐ approves all or part of the application and include in the approval any concurrence agency conditions
- ✓ approves all or part of the application subject to conditions decided by the assessment manager and include in the approval any concurrence agency conditions
- ☐ refuses the application.

4 Conditions

The following conditions are applied to the development approval:

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This Development Approval 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

2/6/2000

SCHEDULE A - GENERAL CONDITIONS

Access to Copy of Development Approval

(A1) A copy of this Development Approval 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 Development Approval must be kept at the licensed place for a period of at least five 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 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 in likely to substantially increase, the risk of environmental harm above that expressly provided by this Development Approval.

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

Monitoring and Measurements

(A4) All determinations of the quality of contaminants released to the environment and all measurement and reporting of noise levels that are required by this Development Approval must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required determinations and the required measurements.

(A5) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this Development Approval must be calibrated, and appropriately operated and maintained.

Site-Based Management Plan

(A6) A Site-Based Management Plan which provides for the following functions:

(i) Development of a Startup Management Plan, which addresses at least the following issues:

- identification of circumstances which require the implementation of the Startup Management Plan, *eg.*, following periods of routine or emergency maintenance or extended periods of nil or low effluent load on the sewage treatment plant;
- procedures for commissioning the sewage treatment plant;

- procedures and processes for ensuring the treated effluent from the sewage treatment plant complies with the effluent release limits of this Development Approval prior to release of the effluent in compliance with the conditions of this Development Approval; and

(ii) Development of a Stormwater Management Plan, including, measures to:
- limit stormwater flows flowing into and from the effluent irrigation area;
- prevent stormwater coming in contact with waste stored on site;
- prevent stormwater coming in contact with chemicals and other products which may result in the contamination of the stormwater;
- measures to limit the area of land disturbed while conducting the Environmentally Relevant Activity to which this Development Approval relates; and

(iii) Routine operating procedures to prevent or minimise environmental harm, including, procedures to maintain the plant during low flow periods of up to 4 weeks; and

(iv) Maintenance practices and procedures; and

(v) Contingency plans and emergency procedures to deal with foreseeable risks and hazards; including, but not limited to;
- electricity failure;
- mechanical malfunction;
- soil and/or groundwater contamination;
- surface runoff from and/or ponding on irrigation area;
- exceedance of effluent quality criteria;
- exceedance of effluent quantity production; and

(vi) Monitoring of the release of contaminants into the environment; and

(vii) Assessment of the environmental impact of any releases of contaminants into the environment; and

(viii) Handling of environmental complaints; and

(ix) Keeping of production of environmental records and reports; and

(x) Staff training and awareness of environmental issues.

(A7) On or before the commencement of the Environmentally Relevant Activity to which this Development Approval relates, have completed and implemented the Site-Based Management Plan.

(A8) A copy of the Site-Based Management Plan must be kept at the place to which this Development Approval relates, in a place readily accessible to personnel carrying out the activity.

Competency

(A9) The operation and maintenance of the sewage treatment plant and effluent irrigation system must be carried out by or under the supervision of a person competent to operate and maintain the sewage treatment plant and effluent irrigation system.

END OF SCHEDULE A

SCHEDULE B - AIR

Non-Specified Releases of Contaminants to Air

(B1) Except as otherwise provided by the conditions of this Development Approval, the Environmentally Relevant Activity to which this Development Approval relates must be carried out by such reasonable and practicable means necessary to prevent the release of likelihood of release of contaminants to the atmosphere.

(B2) Where it is not practicable to prevent a release of contaminants to the atmosphere as required by condition **(B1)**, the Environmentally Relevant Activity to which this Development Approval relates must be carried out by such reasonable and practicable means necessary to minimise the release or likelihood of release of any such release of contaminants to the atmosphere.

Odour

(B3) The Environmentally Relevant to which this Development Approval relates must be carried out in such a manner to ensure that no odour deemed offensive by an Authorised Person can be detected beyond the boundaries of the place to which this Development Approval relates.

END OF SCHEDULE B

SCHEDULE C - WATER

Non-Specified Releases of Contaminants to Waters

(C1) Contaminants must not be directly or indirectly released from the place to which this Development Approval relates to:

(a) any waters, including groundwaters, except as permitted under another condition of this Development Approval; or

(b) a sewer, except as permitted or otherwise agreed to from time to time by the relevant local government.

END OF SCHEDULE C

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SCHEDULE D - STORMWATER MANAGEMENT

Non-Specified Releases to Stormwater

(D1) The Environmentally Relevant Activity to which this Development Approval relates must be carried out by such reasonable and practicable means necessary to prevent the contact of incident rainfall and stormwater run-off with wastes or other contaminants.

(D2) Where it is not practicable or reasonable to prevent contact as required by condition **(D1)**, the Environmentally Relevant Activity to which this Development Approval relates must be carried out by such means necessary to minimise such contact.

Contaminant Releases to Waters

(D3) Sewage, treated effluent and solid wastes and sludges from the sewage treatment process, must not be directly released to any stormwater drain or waters nor be placed in any position from where such a release is likely.

Maintenance and Clean-Up

(D4) Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or water.

END OF SCHEDULE D

SCHEDULE E - LAND APPLICATION

Non-Specified Releases to Land

(E1) Except as otherwise provided by the conditions of this Development Approval, the Environmentally Relevant Activity to which this Development Approval relates must be carried out by such reasonable and practicable means necessary to prevent the release of likelihood of release of contaminants to land.

(E2) Where it is not practicable to prevent a release of contaminants to land as required by condition **(E1)**, the Environmentally Relevant Activity to which this Development Approval relates must be carried out by such reasonable and practicable means necessary to minimise the release or likelihood of release of any such release of contaminants to land.

Treated Effluent Irrigation Area

(E3) The minimum area of land to be provided for the irrigation of treated effluent must be 2 750 m^2.

(E4) The maximum volume of treated effluent which may be irrigated to the effluent irrigation area during any 24 hour period must not exceed 12 000 L.

(E5) Irrigation of treated effluent must be via subsurface irrigation.

(E6) The irrigation of treated effluent must:

- not occur if soil moisture conditions are; or
- cease occurring if soil moisture conditions become;

such that surface runoff or ponding is likely to occur.

(E7) An effluent irrigation area, developed in compliance with condition **(E3)**, must not be located closer than the distance in Schedule E Table 1 with the corresponding feature in Schedule E Table 1.

(E8) The effluent irrigation area, developed in compliance with condition **(E3)**, must not be located closer than 1.5 meters from a dwelling or building in which food in consumed.

(E9) Notwithstanding condition **(E8)**, if the faecal coliform limits required by Schedule E Table 2 are exceeded:

- irrigation must not be allowed to occur within 15 meters from a dwelling or building in which food is consumed; and
- a notice must be provided to the Administering Authority in accordance with conditions **(H10)**, **(H11)** and **(H12)**; and
- compliance with the limits specified in Schedule E Table 1 must be demonstrated by measurements taken on two consecutive sampling events which are at least 3 days apart.

Note: This condition does not and should not imply a lesser release limit with respect to faecal coliforms than that specified by condition **(E13)**.

Treated Effluent Storage Facility

(E10) A treated effluent storage facility must be located on site which has a useable volume of 45 000 L.

(E11) The effluent treatment system must be designed to recycle treated effluent through the effluent treatment system during periods of low or insignificant flows.

(E12) When weather or soil conditions preclude the release of treated effluent, the treated effluent must be directed to the treated effluent storage facility.

Treated Effluent Quality Criteria

(E13) The quality of treated effluent irrigated to land must comply, at the sampling point/s specified in Schedule H Table 1, with each of the limits specified in Schedule E Table 2 for each quality characteristic.

(E14) Notwithstanding the quality characteristic limits specified in Schedule E Table 2, the treated effluent irrigated to land must not have any properties nor contain any organisms or contaminants in concentrations that are capable of causing environmental harm.

SCHEDULE E TABLE 1

Feature	Minimum Separation Distance	Separation Type
Bank of a permanent water course	30 metres	Horizontal separation distance
Farm dam, intermittent water course or drainage channel	30 metres	Horizontal separation distance
Bore or well used for the supply of domestic water	30 metres	Horizontal separation distance
Upslope property boundary of the property to which this Development Approval relates	2 metres	Horizontal separation distance
Downslope property boundary of the property to which this Development Approval relates	4 metres	Horizontal separation distance
Edge of a swimming pool	6 metres	Horizontal separation distance
Maximum recorded height of groundwater	3 metres	Vertical separation distance

SCHEDULE E TABLE 2

QUALITY CHARACTERISTICS	RELEASE LIMIT	LIMIT TYPE
BOD_5 (mg/L)	20	Maximum
Total Nitrogen (mg/L)	30	Maximum
Total Phosphorous (mg/L)	10	Maximum
Suspended Solids (mg/L)	30	Maximum
pH (pH Units)	6.5 to 8.5	Range
Faecal Coliforms (organisms/100 mL)	10 **	Median
Faecal Coliforms (organisms/100 mL)	20 **	80th Percentile
Free Chlorine (mg/L)	0.9 to 1.5	Range

** 10 organisms per 100 mL as a median value of 5 consecutive samples, with 4 out of the 5 samples containing less than 20 organisms per 100 mL.

END OF 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 Schedule F Table 1 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 plus 5 dB(A)	0700 to 1800
Background plus 5 dB(A)	1800 to 2200
Background plus 3 dB(A)	2200 to 0700
Noise Level at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj,T}$	**Period**
Background plus 10 dB(A)	0700 to 1800
Background plus 10 dB(A)	1800 to 2200
Background plus 8 dB(A)	2200 to 0700

END OF SCHEDULE F

SCHEDULE G - WASTE MANAGEMENT

General

(G1) Waste must not be allowed to burn or be burned at or on the place to which this Development Approval relates nor remove waste from the place to which this Development Approval relates and burn such waste elsewhere.

Off Site Movement

(G2) Where regulated waste is removed from the place to which this Development Approval relates, the following records of the waste removed must be kept:

(a) the date and time the waste was removed;
(b) the type and quantity of waste removed;
(c) name of the waste transporter and/or disposal operator that removed the waste (including relevant *Environmental Protection Act 1994* Environmental Authority number(s)); and
(d) the intended treatment/disposal destination of the waste.

Notification of Improper Disposal of Regulated Waste

(G3) Notification must be given to the Administering Authority as soon as practicable of any regulated waste removed from the place to which this Development Approval relates which is disposed of in a manner which is not authorised by the conditions of this Development Approval or is improper or unlawful. Such notification must include all relevant facts, matters and circumstances known concerning the disposal.

Emergency Recycled Water Disposal

(G4) During times and under circumstances when treated effluent cannot be irrigated to land in compliance with conditions of this Development Approval or directed to storage in compliance with conditions of this Development Approval, effluent must be disposed of at a facility approved by the Administering Authority to receive and/or treat such effluent.

END OF SCHEDULE G

SCHEDULE H - MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received relating to releases of contaminants from operations at the place to which this Development Approval relates 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 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 from the Sewage Treatment Plant to Land

(H2) Monitoring must be carried out and records kept thereof, of the quality of the contaminants released from the sewage treatment plant for the quality characteristics and at the frequency specified in Schedule H Table 1.

(H3) Samples collected for analysis as required by condition **(H2)** must be representative of the effluent discharged.

Impact Assessment Monitoring

(H4) The soil characteristics of the irrigation area specified in Schedule H Table 2 must be monitored for at the frequency specified in Schedule H Table 2 and records of such analyses must be kept.

Report Submission

(H5) The results of the soil monitoring program outlined in condition **(H4)** must be submitted to the Administering Authority in a report with each annual return.

Monitoring of Volume Release

(H6) The daily quantity of effluent irrigated to land described in condition **(E3)** must be monitored to determine the daily volume of effluent irrigated.

(H7) Records must be kept of the daily quantity of contaminants irrigated to land.

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Incident Recording

(H8) 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;
(c) any emergency involving the release of contaminants reasonably likely to cause material or serious environmental harm requiring the use of fire fighting equipment.

Notification of Emergencies and Incidents

(H9) Where notification has not been given to the Administering Authority under section 37 of the *Environmental Protection Act 1994*, 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 Development Approval, the Administering Authority must be notified of the release by telephone or facsimile.

(H10) Where notification has not been given to the Administering Authority under section 37 of the *Environmental Protection Act 1994*, the notification of emergencies or incidents as required by condition number **(H9)** must include but not be limited to the following:

(a) the name of the person conducting the Environmentally Relevant Activity to which this Development Approval relates;
(b) the location of the emergency or incident;
(c) the number of the relevant Environmental Authority held by the person conducting the Environmentally Relevant Activity to which this Development Approval relates;
(d) the number of this Development Approval;
(e) the name and telephone number of the designated contact person;
(f) the time of the release;
(g) the time the person who holds the Environmental Authority to conduct the Environmentally Relevant Activity to which this Development Approval relates became aware of the release;
(h) the suspected cause of the release;
(i) the environmental harm and/or environmental nuisance caused, threatened or to be caused by the release; and
(j) actions taken to prevent further any release and mitigate any environmental harm and/or environmental nuisance caused by the release.

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(H11) Where notification has not been given to the Administering Authority under section 37 of the *Environmental Protection Act 1994*, not more than 14 days following the initial notification of an emergency or incident, written advice of the information supplied in accordance with condition number **(H10)** must be supplied to the Administering Authority 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.

Exception Reporting

(H12) The Administering Authority must be notified in writing within 28 days of completion of analysis of any result of a monitoring program required by a condition of this Development Approval which indicates an exceedance of any limit specified in this Development Approval.

(H13) The written notification required by condition **(H12)** above must include:

(a) the full analysis results; and
(b) details of investigation or corrective actions taken; and
(c) Any subsequent analysis.

SCHEDULE H TABLE 1

QUALITY CHARACTERISTIC DETERMINATION REQUIRED	SAMPLING POINTS	FREQUENCY
BOD_5	Final Effluent Tank	Quarterly
Suspended Solids	Final Effluent Tank	Quarterly
pH	Final Effluent Tank	Quarterly
Faecal Coliforms	Final Effluent Tank	Monthly
Total Nitrogen	Final Effluent Tank	Quarterly
Total Phosphorous	Final Effluent Tank	Quarterly
Conductivity, Estimated TDS	Final Effluent Tank	Quarterly
Cations and Anions	Final Effluent Tank	Quarterly
Sodium Absorption Ratio	Final Effluent Tank	Quarterly

SCHEDULE H TABLE 2

QUALITY CHARACTERISTIC DETERMINATION REQUIRED	FREQUENCY
pH	Bi-annually
Electrical Conductivity	Bi-annually
Total Nitrogen	Bi-annually
Total Phosphorous	Bi-annually
Exchangeable Cations	Bi-annually

END OF SCHEDULE H

SCHEDULE I - DEFINITIONS

For the purposes of this Development Approval the following definitions apply:

(I1) "total nitrogen" means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrite plus Nitrate Nitrogen.

(I2) "mg/L" means milligrams per litre.

(I3) "80th percentile" 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 consecutive samples where the time interval between the taking of each consecutive sample is not less than three days.

(I4) "median" means the middle value, where half the data are smaller, and half the data are larger. If the number of samples is even, the median is the arithmetic average of the two middle values.

(I5) "maximum" means that the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

(I6) "range" means that the measured value of the quality characteristic or contaminant must not be greater than the higher release limit stated nor lower than the lower release limit stated.

(I7) "$L_{Amax\ adj,T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.

(I8) "Background noise level" means either:

$L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than 15 minutes, using Fast response, or

$L_{Abg,T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.

(I9) "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;
(d) a medical centre or hospital; or a protected area; or
(e) a protected area; or
(f) a public park or gardens.

(I10) "commercial place" means a place used as an office or for business or commercial purposes.

(I11) "Administering Authority" means the Environmental Protection Agency or its successor at law.

(I12) 'Effluent Irrigation Area" means the area of land required to be provided for the irrigation of effluent under condition **(E3)**.

END OF SCHEDULE I

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5 Further development permits required

Other development permits required to undertake the ERA(s) referred to in the development application include:

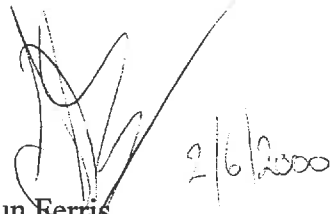
Not applicable

6 Additional comments or advice

None

7 Assessment manager

Organisation: Environmental Protection Agency



Shaun Ferris
District Manager (Environmental Operations)
Wide Bay Burnett District
Date: 2 June 2000

8 Additional information for applicants

This approval under the *Environmental Protection Act 1994* does not remove the need to obtain any further approval for this development which might be required by other State and/or Commonwealth legislation. Applicants are advised to check with all relevant statutory authorities. Applicants also should comply with all relevant legislation.

Other Environmental Protection Agency approvals, licences and/or sanctions (for example, *Harbours Act 1955, Beach Protection Act 1968, Marine Parks Act 1982, Queensland Heritage Act 1992, Nature Conservation Act 1992*) that are required by this development or works are listed below. This response does not infer that the other necessary approvals, licences and/or sanctions will be granted.

9 Part 4A environmental authority for level 1 ERA(s) with development approvals

Under the *Environmental Protection Act 1994*, a Part 4A environmental authority from EPA will be required:

✓ Yes ☐ No

10 Appeal

When issuing a decision notice under the *Integrated Planning Act 1997*, the assessment manager must state the rights of appeal for the applicant (s3.5.15(2)(h)).



Extract from the *Integrated Planning Act 1997*

Division 8—Appeals to court relating to development applications

Appeals by applicants

4.1.27 (1) An applicant for a development application may appeal to the court against any of the following -

(a) the refusal, or the refusal in part, of a development application;
(b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6;
(c) the decision to give a preliminary approval when a development permit was applied for;
(d) the length of a currency period;
(e) a deemed refusal.

(2) An appeal under subsection (1)(a) to (d) must be started within 20 business days (the **"applicant's appeal period"**) after the day the decision notice or negotiated decision notice is given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

Appeals by submitters

4.1.28(1) A submitter for a development application may appeal to the court about -

(a) the giving of a development approval, including any conditions (or lack of conditions) or other provisions of the approval; or
(b) the length of a currency period for the approval.

(2) The appeal must be started within 20 business days (the **"submitter's appeal period"**) after the day the decision notice or negotiated decision notice is given to the submitter.

(3) If a person withdraws a submission before the application is decided, the person may not appeal the decision.

(4) If an application involves both impact assessment and code assessment, appeal rights for submitters are available only for the part of the application involving impact assessment.

Appeals by advice agency submitters

4.1.29(1) An advice agency may, within the limits of its jurisdiction, appeal to the court about the giving of a development approval for a development application if -

(a) the development application involves impact assessment; and
(b) the advice agency told the applicant and the assessment manager to treat its response to the application as a submission for an appeal.

(2) The appeal must be started within 20 business days after the day the decision notice or negotiated notice is given to the advice agency as a submitter.

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Appeals for matters arising after approval given (co-respondents)

4.1.30(1) For a development approval given for a development application, a person to whom any of the following notices have been given may appeal to the court against the decision in the notice -

(a) a notice giving a decision on a request for an extension of the currency period for an approval;

(b) a notice giving a decision on a request to make a minor change to an approval.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

(3) Subsection (1)(a) does not apply if the approval resulted from a development application (superseded planning scheme) that was assessed as if it were an application made under a superseded planning scheme.

Division 9 - Appeals to court about other matters

Appeals for matters arising after approval given (no co-respondents)

4.1.31(1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice -

(a) a notice giving a decision on a request to change or cancel a condition of a development approval;

(b) a notice under section 6.1.44 giving a decision to change or cancel a condition of a development approval.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Appeals against enforcement notices

4.1.32(1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.

(2) The appeal must be started within 20 business days after the day notice is given to the person.

Stay of operation of enforcement notice

4.1.33(1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until -

(a) the court, on the application of the entity issuing the notice, decides otherwise; or

(b) the appeal is withdrawn; or

(c) the appeal is dismissed.

(2) However, subsection (1) does not apply if the enforcement notice is about -

(a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or

(b) carrying out development that is the demolition of a work.



Appeals against decisions on compensation claims

4.1.34(1) A person who is dissatisfied with a decision under section 5.4.8 or 5.5.3 for the payment of compensation may appeal to the court against -

(a) the decision; or

(b) a deemed refusal of the claim.

(2) An appeal under subsection (1)(a) must be started with 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

Appeals against decisions on requests to acquire designated land under hardship

4.1.35(1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 2.6.19, may appeal to the court against -

(a) the decision; or

(b) a deemed refusal of the request.

(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

Appeals from tribunals

4.1.37(1) A party to a proceeding decided by a tribunal may appeal to the court against the tribunal's decision, but only on the ground -

(a) of error or mistake in law on the part of the tribunal; or

(b) that the tribunal had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.

(2) An appeal against a tribunal's decision must be started within 20 business days after the day notice of the tribunal's decision is given to the party.

Court may remit matter to tribunal

4.1.38 If an appeal includes a matter within the jurisdiction of a tribunal and the court is satisfied the matter should be dealt with by a tribunal, the court must remit the matter to the tribunal for decision.

Division 10 - Making an appeal to court

How appeals to the court are started

4.1.39(1) An appeal is started by lodging written notice of appeal with the registrar of the court.

(2) The notice of appeal must state the grounds of the appeal.

(3) The person starting the appeal must also comply with the rules of the court applying to the appeal.

(4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

Certain appellants must obtain information about submitters

4.1.40(1) If the applicant or a submitter for a development application appeals about the part of the application involving impact assessment, the appellant must ask the assessment manager to give the appellant the name and address of each principal submitter who made a properly made submission about the application and has not withdrawn the submission.

(2) The assessment manager must give the information requested under subsection (1) as soon as practicable.

Notice of appeal to other parties (div 8)

4.1.41(1) An appellant under division 8 must, within 10 business days after the day the appeal is started (or if information is requested under section 4.1.40, within 10 business days after the day the appellant is given the information) give written notice of the appeal to -

(a) if the appellant is an applicant - the assessment manager, any concurrence agency, any principal submitter whose submission has not been withdrawn and any advice agency treated as a submitter whose submission has not been withdrawn; or

(b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal - the assessment manager, the applicant and any concurrence agency; or

(c) if the appellant is a person to whom a notice mentioned in section 4.1.30 has been given - the assessment manager and any entity that was a concurrence agency for the development application.

(2) The notice must state -

(a) the grounds of the appeal; and

(b) if the person given the notice is not the respondent or a co-respondent under section 4.1.43 - that the person, within 10 business days after the day the notice is given, may elect to become a co-respondent to the appeal.

Notice of appeal to other parties (div 9)

4.1.42(1) An appellant under division 9 must, within 10 business days after the day the appeal is started give written notice of the appeal to -

(a) if the appellant is a person to whom a notice mentioned in section 4.1.31[73] has been given - the entity that gave the notice; or

(b) if the appellant is a person to whom an enforcement notice is given - the entity that gave the notice and if the entity is not the local government, the local government; or

(c) if the appellant is a person dissatisfied with a decision about compensation - the local government that decided the claim; or

(d) if the appellant is a person dissatisfied with a decision about acquiring designated land - the designator; or

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(e) if the appellant is a person who is disqualified as a private certifier - the entity disqualifying the person and if the entity disqualifying the person is not the accrediting body, the accrediting body; or
(f) if the appellant is a party to a proceeding decided by a tribunal - the other party to the proceeding.

(2) The notice must state the grounds of the appeal.

Respondent and co-respondents for appeals under div 8

4.1.43(1) This section applies to appeals under division 8 for a development application.

(2) The assessment manager is the respondent for the appeal.

(3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.

(4) If the appeal is about a concurrence agency response, the concurrence agency is a co-respondent for the appeal.

(5) If the appeal is only about a concurrence agency response, the assessment manager may apply to the court to withdraw from the appeal.

(6) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.

(7) A person to whom a notice of appeal is required to be given under section 4.1.41 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.

Respondent and co-respondents for appeals under div 9

4.1.44(1) This section applies if an entity is required under section 4.1.42 to be given a notice of an appeal.

(2) The entity given written notice is the respondent for the appeal.

(3) However, if under a provision of the section more than 1 entity is required to be given notice, only the first entity mentioned in the provision is the respondent.

(4) The second entity mentioned in the provision may elect to be a co-respondent.

How a person may elect to be co-respondent

4.1.45(1) An entity elects to be a co-respondent by lodging in the court, within 10 business days after the day the notice of the appeal is given to the entity, a notice of election under the rules of court.

(2) If a principal submitter is entitled to elect to become a co-respondent, any other submitter for the submission may also elect to become a co-respondent to the appeal.

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Minister entitled to be represented in an appeal involving a State interest

4.1.46 If the Minister is satisfied that an appeal involves a State interest, the Minister is entitled to be represented in the appeal.

Lodging appeal stops certain actions

4.1.47(1) If an appeal (other than an appeal under section 4.1.30) is started under division 8, the development must not be started until the appeal is decided or withdrawn.

(2) Despite subsection (1), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

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3/6/2020

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Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00889509

This registration certificate is issued by the administering authority and takes effect from: 17-FEB-2011.

The anniversary day for the purposes of the Annual Return remains: 19 June.

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

Registered Operator:-
Roman Catholic Trust Corporation for the Diocese of Rockhampton
Trading as Shalom College
9 Fitzgerald Street
BUNDABERG QLD 4670

Development Approval Number: CM0254

Place:-
Lot 2 Plan RP849992
Located at:-
Lot 2 South Bingera, Pine Creek Road,BINGERA QLD 4670
Registered Activity: -
ERA 63 Sewage treatment Threshold 2(a) - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of 21 to 100EP (i) if treated effluent is discharged to an infiltration trench or through an irrigation scheme

C.E Birt

Cathy Birt
Delegate
Administering authority
Environmental Protection Act 1994

17-FEB-2011