

Concurrence Agency Response

Section 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

Applicant:	Raymond Duval van Soest
Assessment Manager	IA 393
Application number:	
EPA Development	WT0460DA
Application number:	
Date application	20 August 2002
received by EPA:	
Relevant Laws	<i>Environmental Protection Act 1994</i> and subordinate legislation
and Policies:	
Jurisdiction::	Item 3 of Schedule 2 of the <i>Integrated Planning Regulation 1998</i>

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

15(b) Sewage treatment - Operating a standard sewage treatment works having a peak design capacity to treat sewage of 100 or more equivalent persons but less than 1 500 equivalent persons

at the following place(s):

Lot 3 RP 79024 Parish of Folkestone

located at:

Sommerville Lane & Nielsens Road, Storm King Dam, Stanthorpe

Type of development

Material change of use of premises is:

- the start of a new use of the premises

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that conditions must attach to any development approval

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18(7) of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions. The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Amendment Regulation (No. 1) 1998* for the protection of the environment against the release or potential release of contaminants that will or may cause environmental harm. Development conditions placed on the development approval for the environmentally relevant activity are in accordance with section 79 of the *Environmental Protection Act 1994* ('the EP Act').

The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response, are required in accordance with section 92 of the *EP Act* and are relevant to the object and policies pertaining to the *EP Act*.

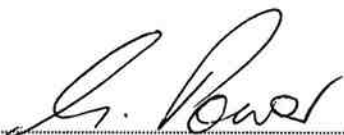
Additional comments or advice about the application

Nil

Additional information for applicants

This concurrence response pursuant to section 79 the EP Act applies only to the environmentally relevant activity(ies) component of the development and does not remove the need to obtain any further approval for this development which may be required pursuant to this or other legislation, both State and Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

It is a requirement of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined under schedule 2 of the *Environmental Protection Act 1994*) is being carried out on this land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming aware the activity is being carried out, give notice to the Environmental Protection Agency. A list of Notifiable Activities is provided within Schedule 2 of the *Environmental Protection Act 1994*.



Signed

14 January 2002

Date

Dr Geoff Power
Acting District Manager
Delegate of Administering Authority
Environmental Protection Act 1994



Conditions of the development approval

As part of the concurrence agency response the following schedules of development conditions are to be attached to the development approval:

The aforementioned description of the environmentally relevant activity (ERA) for which this development approval is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing this development approval. Where there is any conflict between the above description of the ERA for which this development approval is issued and the conditions as specified in this development approval as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This development approval authorises the ERA. It does not authorise environmental harm unless a concurrence agency condition within this development approval explicitly authorises that harm. Where there is no condition or the development approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

- Schedule A - Activity
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise
- Schedule E - Waste
- Schedule F - Land
- Schedule G - Community
- Schedule H - Definitions
- Schedule I - Maps / Plans

Schedule A - Activity

Prevent and /or minimise likelihood of environmental harm

- (A1-1) 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.

Maintenance of measures, plant and equipment

- (A2-1) 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.



Site based management plan

- (A3-1) 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.

Annual monitoring report (Sewage treatment)

- (A8-1) An annual monitoring report must be provided to the administering authority with the annual return. This report shall include but not be limited to:
- a summary of the previous twelve (12) months' monitoring results obtained under any monitoring programs required under this authority and, in graphical form showing relevant limits, a comparison of the previous twelve (12) month's monitoring results to both this authority limits and to relevant prior results;
 - an evaluation/explanation of the data from any monitoring programs; and
 - a summary of any record of quantities of releases required to be kept under this authority; and
 - a summary of the record of equipment failures or events recorded for any premises to which this development approval relates under this authority; and
 - an outline of actions taken or proposed to minimise the environmental risk from any deficiency identified by the monitoring or recording programs; and
 - the number of domestic tenements newly connected to the sewage treatment works during the previous twelve (12) months; and
 - the progressive total number of connections; and
 - a summary of any trade waste agreements entered into or amended during the year, including the nature of the industry.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Nuisance

- (B1-2) 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.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Release to waters

- (C3-1) Contaminants must not be released from the premises to which this development approval relates to any waters or the bed and banks of any waters.



Stormwater management

- (C5-1) 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.

Contaminant and sewage pump station

- (C6-1) Contaminant pumping stations must be fitted with stand-by pumps and pump-failure alarms as well as high level alarms to warn of imminent pump station overflow. All alarms must be able to operate without mains power.

Pond conditions

- (C7-1) 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.
- (C7-2) Suitable banks and/or diversion drains must be installed and maintained to exclude stormwater runoff from entering any ponds or other structures used for the storage or treatment of contaminants or wastes.

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise and vibration

There are no conditions prescribed for this Schedule.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste

There are no conditions prescribed for this Schedule.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land

Land disposal

- (F2-1) The only contaminants permitted to be released to land are treated effluent and clean stormwater to the areas shown in Figures 1 and 2 attached to Schedule I in compliance with the limits levels stated in Table 1 of the Land Schedule and the conditions of this authority.



Schedule F - Table 1 (Release limits - 'Land')

Quality characteristics	Release Limit	Limit Type
pH	6.5 – 9.0	Range
Total Dissolved Solids (mg/L)	1000	Maximum
Faecal Coliforms (organisms/100mL)	1000	Median
Chloride (mg/L)	30 - 700	Range

- (F2-2) The irrigation of effluent must be carried out in a manner such that:
- vegetation is not damaged;
 - soil erosion and soil structure damage is avoided;
 - there is no surface ponding of effluent;
 - percolation of effluent beyond the plant root zone is minimised;
 - the capacity of the land to assimilate nitrogen, phosphorus, salts, organic matter as measured by oxygen demand and water is not exceeded; and
 - the quality of ground water is not adversely affected.
- (F2-3) Notices must be prominently displayed on any effluent irrigation area warning the public that the area is irrigated with effluent and not to use or drink the effluent. These notices must be maintained in a visible and legible condition.
- (F2-4) Conduct and keep records of any monitoring programs of contaminant releases from the treatment plant at the monitoring points, frequency, and for the parameters specified in Schedule F - Table 2.
- (F2-5) Monitoring must be undertaken and records kept of a monitoring program of contaminant releases to the irrigation area at the monitoring points, frequency, and for the parameters specified in Schedule F - Table 2.

Schedule F - Table 2 (Monitoring program)

Monitoring point	Quality characteristics	Frequency
Irrigation pump outlet	pH	quarterly
Irrigation pump outlet	Total Dissolved Solids (mg/L)	quarterly
Irrigation pump outlet	Faecal Coliforms (organisms/100mL)	quarterly
Irrigation pump outlet	Chloride (mg/L)	quarterly



- (F2-6) The daily volume of contaminants released to land must be determined or estimated by an appropriate method, for example a flow meter, and records kept of such determinations and estimates.
- (F2-7) When conditions prevent the irrigation of treated effluent to land (such as during or following rain events), the contaminants must be directed to a wet weather storage or alternative measures must be taken to store/lawfully dispose of effluent (such as wet weather storage or tanking off site to another treatment plant or sewer). A record must be kept of any removal or discharge off site, including destination, transporter, dates and volumes.
- (F2-10) Unless authorised under Schedule C, irrigation of effluent must not result in runoff beyond the boundary of any designated irrigation areas.

END OF CONDITIONS FOR SCHEDULE F

Schedule G - Community

Complaint response

- (G1-1) 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.

END OF CONDITIONS FOR SCHEDULE G

Schedule H - Definitions

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.

Word Definitions

"administering authority" means the Environmental Protection Agency or its successor.

"you" means the holder of this Environmental Authority and / or 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.

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Integrated Planning Act 1997*

"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.

"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 1992 or a World Heritage Area; or
 - a public thoroughfare, park or gardens; or
 - a place used as a workplace, an office or for business or commercial purposes.
- and includes a place within the curtilage of such a place reasonably used by persons at that place.

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

"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 any under groundwater, any part-thereof.

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

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

"median" means that maximum of five samples taken at regular intervals not exceeding one month, with four out of five samples containing less than 4000 organisms/ 100mL.

"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.

"mg/L" means milligrams per litre.

END OF DEFINITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

The following attachments to this schedule include:

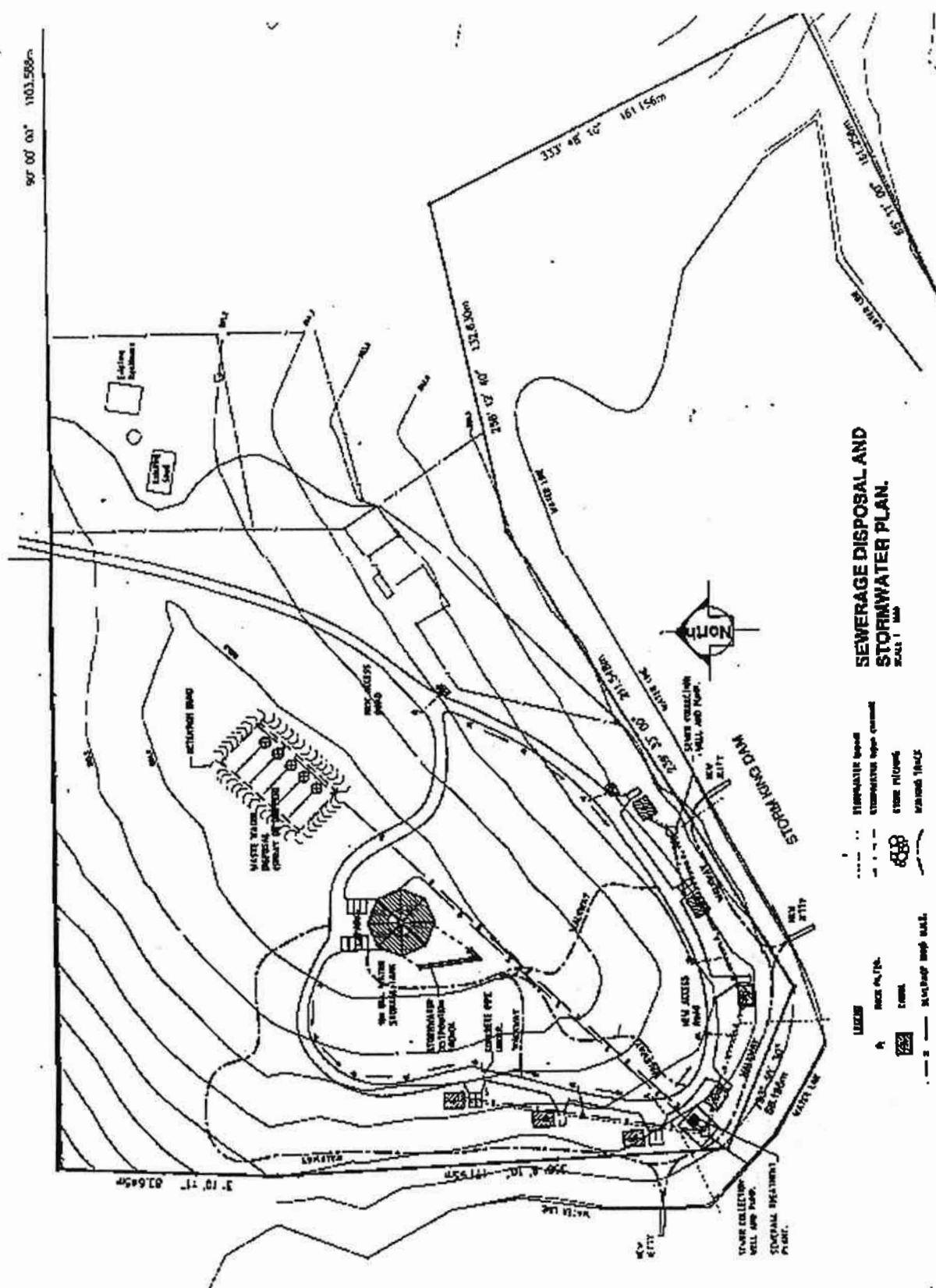
1. Stormwater disposal and stormwater plan for holiday cabins area;
2. Stormwater disposal and stormwater plan for caravan and camping areas

END OF CONDITIONS FOR SCHEDULE I

END OF CONCURRENCE AGENCY RESPONSE

Attachment 1

Stormwater disposal and stormwater plan for holiday cabins area

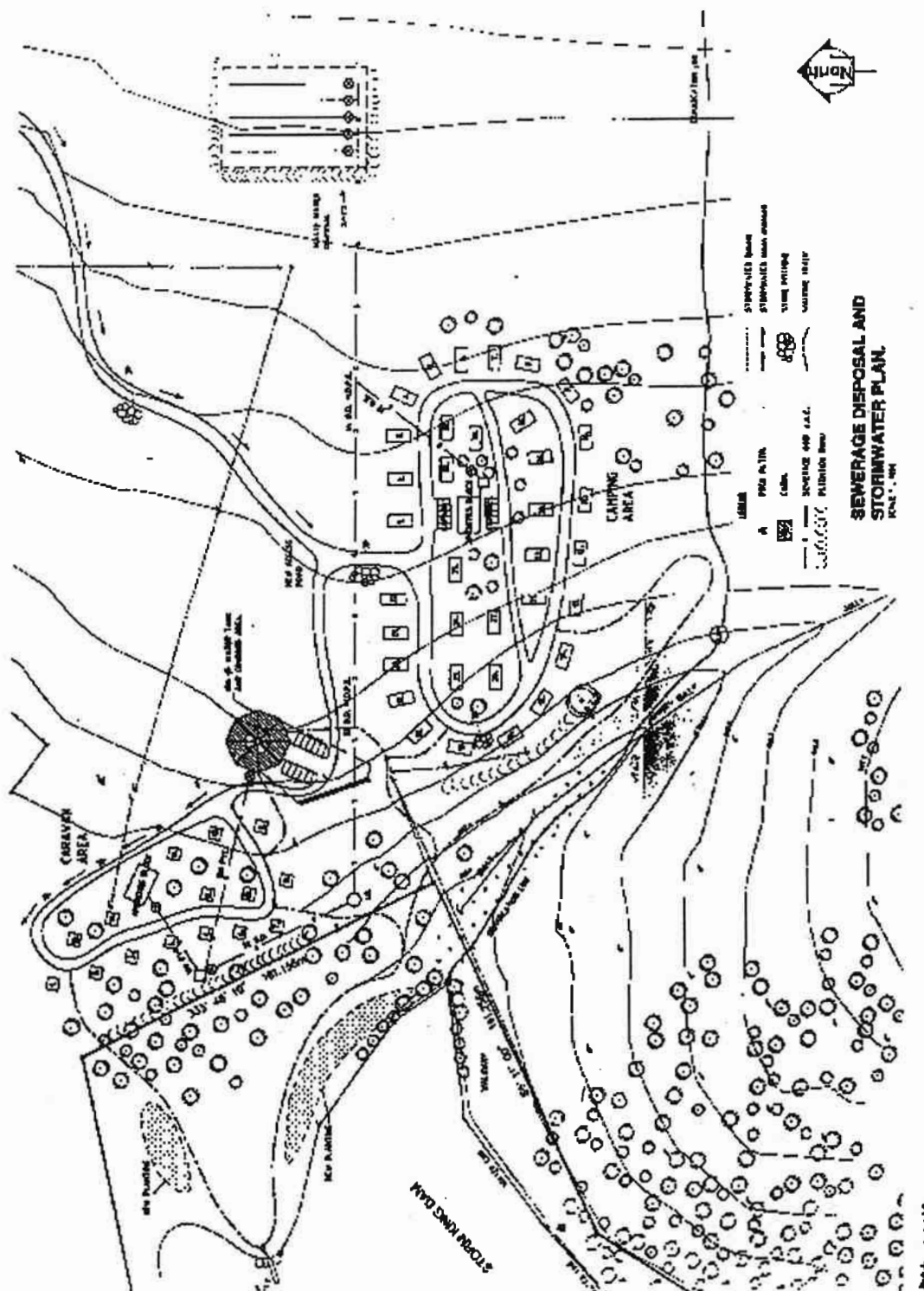


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Attachment 2

Stormwater disposal and stormwater plan for caravan and camping areas





Licence No. WT0460
(with development approval)
Section 86 Environmental Protection Act 1994

This licence, issued under the Environmental Protection Act 1994, allows the administering authority to make conditions with regard to financial assurances and matters relating to an Integrated Environmental Management System (IEMS). The licence and its conditions must be considered in conjunction with any conditions imposed on your development approval granted under the Integrated Planning Act 1997 or its equivalent.

Under the provisions of the
Environmental Protection Act 1994 this licence is issued to:

Raymond Duval van Soest
Sommerville & Nielsens Road, Storm King Dam
STANTHORPE QLD 4380

in respect of carrying out the environmental relevant activity:

15(b) Sewage treatment - Operating a standard sewage treatment works having a peak design capacity to treat sewage of 100 or more equivalent persons but less than 1 500 equivalent persons

at the following place(s):

Lot 3 RP 79024, Parish of Folkestone.

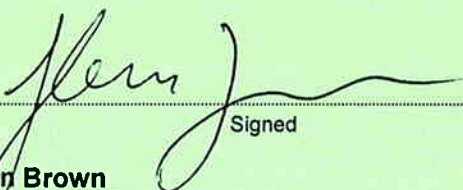
located at:

Sommerville Lane & Nielsens Road, Storm King Dam, Stanthorpe, QLD.

This licence is subject to the conditions set out in the attached schedules.

The anniversary date of this licence is **5 June**

This licence takes effect from **5 June 2002**.


Signed

Dr Glen Brown
Acting District Manager
Delegate of Administering Authority
Environmental Protection Act 1994

24/5/02
Date

Note: This licence document is not proof of the current status of the licence. The current status of the licence may be ascertained by contacting the Environmental Protection Agency.



Schedule of conditions

The aforementioned description of the ERA for which this authority is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing this authority. Where there is any conflict between the above description of the ERA for which this authority is issued and the conditions as specified in this authority as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This authority incorporates the following schedules of conditions relevant to various issues:

- Schedule A - General Conditions
- Schedule H - Definitions
- Schedule I - Maps / Plans

Schedule A - General Conditions

There are no conditions prescribed for this Schedule.

END OF CONDITIONS FOR SCHEDULE A

Schedule H - Definitions

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

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

Word Definitions

"administering authority" means the Environmental Protection Agency or its successor.

END OF CONDITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

There are no attachments to this schedule.

END OF CONDITIONS FOR SCHEDULE I

END OF ENVIRONMENTAL AUTHORITY

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Notice of decision to grant licence (with development approval)

Sections 85 and 86 *Environmental Protection Act 1994*

This statutory notice is issued by the administering authority pursuant to sections 85 and 86 of the Environmental Protection Act 1994, to advise you of a decision or action.

Enquiries to : A. Bismarck
Telephone : (07) 4639 4599
Your reference :
Our reference : TWB 1477

Raymond Duval van Soest
Sommerville Lane & Nielsens Road
Storm King Dam
STANTHORPE QLD 4380

Attention: Mr van Soest,

Re: Application for a licence (with development approval) by Raymond Duval van Soest to carry out Environmentally Relevant Activity (ERA) 15(b) - Sewage Treatment - Operating a standard sewage treatment works having a peak design capacity to treat sewage of 100 or more equivalent persons but less than 1500 equivalent persons at Lot 3 RP 79024 Parish of Folkestone, Stanthorpe, Queensland.

Your application for a licence (with development approval), received by this office on 24 July 2001 has been granted.

A copy of the licence No.WT0460 which includes the schedule of conditions, is attached.

This licence takes effect from 5 June 2002.

You may apply to the administering authority for a review of this decision within 14 days after receiving this notice. You may also appeal against this decision to the Planning and Environment Court.

Information outlining the review and appeal processes under the *Environmental Protection Act 1994* is included with this notice. This information is intended as a guide only. You may have other legal rights and obligations.


Signed

24/5/02
Date



Dr Glen Brown
Acting District Manager
Delegate of Administering Authority
Environmental Protection Act 1994

Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00182105

This registration certificate is issued by the administering authority and takes effect from: 18-FEB-2011.

The anniversary day for the purposes of the Annual Return remains: 5 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:-

Mr Raymond van Soest
Sommerville Lane & Neilsens Road
Storm King Dam
STANTHORPE QLD 4380

Place:-

Lot 3 Plan RP79024

Located at:-

Sommerville Lane & Neilsens Road, STANTHORPE QLD 4380

Registered Activity: -

ERA 63 Sewage treatment Threshold 2(b) - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of more than 100 to 1500EP (i) if treated effluent is discharged to an infiltration trench or through an irrigation scheme



Cathy Birt
Delegate
Administering authority
Environmental Protection Act 1994

18-FEB-2011