ecoaccess
environmental licences and permits

COPY

Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00769108

This registration certificate is issued by the administering authority and takes effect from: 01-MAR-2011.

The anniversary day for the purposes of the Annual Return remains: 13 August.

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:-
The Church of Jesus Christ of the Latter Day Saints
756 Pennant Hills Road
CARLINGFORD NORTH NSW 2118

Place:-
Lot 12 Plan RP225810, Lot 12 Plan SP109560
Located at:-
20 Nerang-Beechmont Road,MT NATHAN QLD 4211
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

01-MAR-2011

Department of Environment and Resource Management

Notice

Decision notice

This notice is issued by the Department of Environment and Resource Management pursuant to section 334 (decision notice) of the Sustainable Planning Act 2009 ("the Act").

The Church of Jesus Christ of The Latter Day Saints
Po box 8336, Woolloongabba

QLD 4102

Attention Mr Neville Keung

Our reference: 240833

Re: Application for development approval

1. **Application Details**

Date application made to DERM:	14 January 2010
Development approval applied for:	Development permit
Aspect of development:	Material change of use of premises – For an environmentally relevant activity prescribed by Schedule 3 Part 1, Table 2, item 1 of the *Sustainable Planning Regulation 2009*
Development description:	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
Property/Location description:	Lot 12 SP109560 20 Nerang-Beechmont Road, MT NATHAN QLD 4211

2. The name and address of each referral agency is as follows.

   Nil

3. The Chief Executive, Department of Environment and Resource Management (DERM) decision notice, for the aspect of development involved with the application the subject of this Notice is as follows.

   The application is approved, and the approval is a development permit

Department of Environment and Resource Management
www.derm.qld.gov.au ABN 46 640 294 485
Queensland Government

4. Any other development permits or compliance permits necessary to allow the aspect of development the subject of this Notice to be carried out are stated below.

   Nil

5. Any code the applicant must comply with for self-assessable development related to the aspect of approved development the subject of this Notice is stated below.

   Nil

6. Details of any compliance assessment required under chapter 6, part 10 of the Act for documents or work in relation to the aspect of development the subject of this Notice are stated below.

   Nil

7. If the application is not taken to have been approved under section 331 of the Act, the assessment manager considers the assessment manager's decision for the aspect of development the subject of this Notice does not conflict with a relevant instrument.

8. If the application is not taken to have been approved under section 331 of the Act, and if the assessment manager is satisfied the decision for the aspect of development the subject of this Notice conflicts with a relevant instrument, the reasons for the decision, including a statement of sufficient grounds mentioned in sections 326(1)(b) and 329(1)(b) of the Act, are stated below.

   Not Applicable

9. Information about the rights of appeal for the applicant any submitters are attached to this Notice.

10. **Approved plans and specifications**

Document No.	Document Name	Date
P&ID- 001	Piping and Instrumentation Diagram	October 09
9042-IRGN-002_RevB	Proposed Effluent Disposal/Irrigation Area	09.02.2010

Brett Glosko
Delegate, Chief Executive administering the *Environmental Protection Act 1994*,
Department of Environment and Resource Management

12 February 2009

Enquiries:
William Inonda
Department of Environment and Resource Management
South East Region-Gold Coast

PO Box 4244,Robina Town Centre QLD 4230

Phone: 07 5583 2147
Fax: 07 5583 2136
Email: william.inonda@derm.qld.gov.au

Attachments

DERM Permit No. SPDE00096410
Approved plans and specifications
Information Sheet – Appeals – Sustainable Planning Act 2009 (extract from the Sustainable Planning Act 2009)

Department of Environment and Resource Management

Information sheet

Appeals – *Sustainable Planning Act 2009*
(extract from the *Sustainable Planning Act 2009* Reprint 1A effective 1 January 2010)

Chapter 7, Part 1, Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

(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 the development application;
(b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
(c) the decision to give a preliminary approval when a development permit was applied for;
(d) the length of a period mentioned in section 341;
(e) a deemed refusal of the development application.

(2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the ***applicant's appeal period***) after—
(a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
(b) otherwise—the day a decision notice was required to be 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.

462 Appeals by submitters—general

(1) A submitter for a development application may appeal to the court only against—
(a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
(b) the part of the approval relating to the assessment manager's decision under section 327.

(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
(a) the giving of a development approval;
(b) any provision of the approval including—
(i) a condition of, or lack of condition for, the approval; or
(ii) the length of a period mentioned in section 341 for the approval.

(3) However, a submitter may not appeal if the submitter—
(a) withdraws the submission before the application is decided; or
(b) has given the assessment manager a notice under section 339(1)(b)(ii).

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

463 Additional and extended appeal rights for submitters for particular development applications

(1) This section applies to a development application to which chapter 9, part 7 applies.

(2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a prescribed concurrence agency for the application.

Department of Environment and Resource Management
www.derm.qld.gov.au ABN 46 640 294 485
Queensland Government

(3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—
(a) if the prescribed concurrence agency is the chief executive (environment)—development for an aquacultural ERA; or
(b) if the prescribed concurrence agency is the chief executive (fisheries)—development that is—
(i) a material change of use of premises for aquaculture; or
(ii) operational work that is the removal, damage or destruction of a marine plant.
(4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—
(a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive (fisheries);
(b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters
(1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
(2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—
(a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
(b) any part of the approval relating to the assessment manager's decision under section 327.
(3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.
(4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals
(1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
(3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes
(1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
(a) if the responsible entity for making the change is the assessment manager for the application—
(i) the person who made the request; or
(ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
(b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
(2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
(3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency
(1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Chapter 7, Part 1, Division 9 Appeals to court about compliance assessment

468 Appeals against decision on request for compliance assessment
(1) A person to whom an action notice has been given under section 405(5) about a request for compliance assessment of development, a document or work may appeal to the court against the decision in the notice.
(2) The appeal must be started within 20 business days after the notice is given to the person.

469 Appeals against condition imposed on compliance permit or certificate
(1) A person who is given a compliance permit or compliance certificate subject to any conditions may appeal to the court against the decision to impose the condition.
(2) The appeal must be started within 20 business days after the day the compliance permit or compliance certificate is given to the person.

470 Appeals against particular decisions about compliance assessment
(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 of a decision on a request to change or withdraw an action notice;
(b) a notice under section 413(2)(c) about a decision to refuse a request to change a compliance permit or compliance certificate.
(2) The appeal must be started within 20 business days after the day the notice is given to the person.

Chapter 7, Part 1, Division 11 Making an appeal to court

481 How appeals to the court are started
(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).

482 Notice of appeal to other parties—development applications and approvals
(1) An appellant under division 8 must give written notice of the appeal to—
(a) if the appellant is an applicant—
(i) the chief executive; and
(ii) the assessment manager; and
(iii) any concurrence agency; and
(iv) any principal submitter whose submission has not been withdrawn; and
(v) 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—
(i) the chief executive; and
(ii) the assessment manager; and
(iii) any referral agency; and
(iv) the applicant; or
(c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—.
(i) the chief executive; and

(ii) the assessment manager for the development application to which the notice relates; and
(iii) any entity that was a concurrence agency for the development application to which the notice relates; and
(iv) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or

(d) if the appellant is a person mentioned in section 466(1)—
(i) the chief executive; and
(ii) the responsible entity for making the change to which the appeal relates; and
(iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and
(iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or

(e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.

(2) The notice must be given within—
(a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or
(b) otherwise—10 business days after the appeal is started.

(3) 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 485—that the person may, within 10 business days after the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

483 Notice of appeals to other parties—compliance assessment

(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 an action notice, compliance permit or compliance certificate has been given—
(i) the compliance assessor who gave the notice, permit or certificate; and
(ii) if the compliance assessor was a nominated entity of a local government and a copy of the request for compliance assessment was given to the local government under section 402—the local government; or
(b) if the appellant is a person to whom a notice mentioned in section 470(1) has been given—
(i) the entity that gave the notice; and
(ii) if the entity that gave the notice was a nominated entity of a local government and the written agreement of the local government was required to give the notice—the local government.

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

485 Respondent and co-respondents for appeals under div 8

(1) Subsections (2) to (8) apply for appeals under sections 461 to 464.
(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) Any submitter may elect to become a co-respondent for the appeal.
(5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.
(6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.
(7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
(8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.

(9) For an appeal under section 465—
(a) the assessment manager is the respondent; and
(b) if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and
(c) any other person given notice of the appeal may elect to become a co-respondent.
(10) For an appeal under section 466—
(a) the responsible entity for making the change to which the appeal relates is the respondent; and
(b) if the responsible entity is the assessment manager—
(i) if the appeal is started by a person who gave a notice under section 373 or a pre-request response notice—the person who made the request for the change is a co-respondent; and
(ii) any other person given notice of the appeal may elect to become a co-respondent.
(11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

486 Respondent and co-respondents for appeals under div 9
(1) For an appeal under section 468 or 469—
(a) the compliance assessor is the respondent; and
(b) if the compliance assessor is a nominated entity of a local government and the appeal relates to a matter required by a local government—the local government is a co-respondent.
(2) However, if the appeal is only about a matter required by the local government, the compliance assessor may apply to the court to withdraw from the appeal.
(3) For an appeal under section 470—
(a) the entity that gave the notice to which the appeal relates is the respondent; and
(b) if the entity mentioned in paragraph (a) is a nominated entity of a local government and the local government did not agree to the request mentioned in section 470(1)—the local government is a co-respondent.
(4) However, if the appeal is only about the local government's refusal of the request, the entity that gave the notice to which the appeal relates may apply to the court to withdraw from the appeal.

488 How an entity may elect to be a co-respondent
An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

489 Minister entitled to be party to an appeal involving a State interest
If the Minister is satisfied an appeal involves a State interest, the Minister may, at any time before the appeal is decided, elect to be a party to the appeal by filing in the court a notice of election in the approved form.

490 Lodging appeal stops particular actions
(1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.
(2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn.
(3) Despite subsections (1) and (2), 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.

Department of Environment
and Resource Management

Sustainable Planning Act 2009

DERM Permit [1] number: SPDE00096410

Assessment manager reference	SPDE00096410
Date application received:	14 January 2010
Permit type:	Development Permit
Date of decision:	12 February 2010
Decision:	The application is approved and the approval is a development permit
Relevant laws and policies:	*Environmental Protection Act 1994* and any related statutory instruments and subordinate legislation
Jurisdiction(s):	Material change of use of premises – For an environmentally relevant activity prescribed by Schedule 3 Part 1, Table 2, item 1 of the *Sustainable Planning Regulation 2009*

Development Description(s)

Property/Location		**Development**
20 Nerang-Beechmont Road,MT NATHAN QLD 4211	12 Plan SP109560	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

Reason(s) for inclusion of conditions
The conditions are included pursuant to section 73B of the *Environmental Protection Act 1994.*

Additional comments or advice about the application

Regrowth Vegetation mapping identifies areas of high value regrowth which contain *Of Concern* and *Least Concern* regional ecosystems on Lot 12 on SP109560. Clearing of high value regrowth is regulated under the *Vegetation Management Act 1999* and *Sustainable Planning Act 2009.* Any clearing of native vegetation in areas of high value regrowth must be undertaken in accordance with the **Regrowth Vegetation Code** (which includes notifying the administering authority) unless exempt under Schedule 24, parts 1 & 2 of *Sustainable Planning Regulation 2009.*

[1] Permit includes licences, permits, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management.

It is recommended that the applicant contact the Vegetation Management Unit – Ipswich on 3884 5374 for further information prior to the removal any native vegetation.

Additional information for applicants

This permit pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any further permit 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.

Contaminated Land

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a Notifiable Activity (as defined by Schedule 2 of the *Environmental Protection Act 1994*) is being carried out on the land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming so aware, give notice to the Department of Environment and Resource Management.

Environmentally Relevant Activities

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

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

In addition to this permit, the person to carry out the ERA must be a registered operator under the *Environmental Protection Act 1994*. For the person to become a registered operator, they must apply for a registration certificate under section 73F of the *Environmental Protection Act 1994*.

Delegate
Brett Glosko
Chief Executive administering the *Environmental Protection Act 1994*
Department of Environment and Resource Management
12 February 2010

CONDITIONS OF PERMIT

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

Conditions of the Development Permit

This development permit consists of the following schedules of conditions relevant to various issues:

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Land Application

Schedule E - Noise

Schedule F - Waste Management

Schedule G - Self Monitoring and Reporting

Schedule H- Definitions

Schedule I - Plan of Site

SCHEDULE A - GENERAL CONDITIONS

Prevent and /or minimise likelihood of environmental harm

(A1) In carrying out an ERA to which this permit relates, all reasonable and practicable measures must be taken to prevent and/or to minimise the likelihood of environmental harm being caused.

Maintenance of Plant and Equipment

(A2) The registered operator of an ERA to which this permit relates must:

(i) install all plant and equipment necessary to ensure compliance with the conditions of this permit;
(ii) maintain such plant and equipment in a proper and efficient condition; and
(iii) operate such plant and equipment in a proper and efficient manner.

In this condition, "plant and equipment" includes:

(i) plant and equipment used to prevent and/or minimise the likelihood of environmental harm being caused;
(ii) devices and structures to contain foreseeable escapes of contaminants and waste;
(iii) vehicles used to transport waste;
(iv) devices and structures used to store, handle, treat and dispose of waste;
(v) monitoring equipment and associated alarms; and
(vi) backup systems that act in the event of failure of the primary system.

Site Based Management Plan.

(A3) From commencement of an ERA to which this permit 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.

Display of Development Permit

(A4) A copy of this permit must be kept in a location readily accessible to personnel carrying out the activity.

Trained Operators

(A5) All persons engaged in the operation of an ERA to which this permit relates, including but not limited to employees and contract staff must be:

(i) trained in the procedures and practices necessary to:
  (a) comply with the conditions of this permit: and
  (b) prevent environmental harm during normal operation and emergencies; or

(ii) under the close supervision of such a trained person.

Records

(A6) Any record or document required to be kept by a condition of this permit must be kept at the approved place for a period of at least five (5) years and be available for examination by an authorised person.

Annual monitoring report

(A7) An annual monitoring report must be provided to the administering authority with the annual return. This report shall include but not be limited to:

(i) a summary of the previous twelve (12) months' monitoring results obtained under any monitoring programs required under this permit and, in graphical form showing relevant limits, a comparison of previous twelve (12) month's monitoring results to both this permit limits and to relevant prior results

(ii) an evaluation/explanation of the data from any monitoring programs; and

(iii) a summary of any record of quantities of releases required to be kept under this permit; and

(iv) a summary of the record of equipment failures or events recorded under this permit

(v) an outline of actions taken or proposed to minimise the environmental risk from any deficiency identified by the monitoring or recording programs

Alterations

(A8) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development permit.

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

Calibration

(A9) All instruments and measurement devices used for the measurement or monitoring of any parameter under any condition of this permit must be calibrated, and appropriately operated and maintained.

Incident Recording

(A10) A record must be maintained of at least the following events:

(i) 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;
(ii) any uncontrolled release of contaminants reasonably likely to cause environmental harm;
(iii) any emergency involving the release of contaminants reasonably likely to cause material or serious environmental harm requiring the use of fire fighting equipment; and
(iv) the hours of operation of the plant.

(A11) The record required by condition A10 must be maintained for a period of not less than five (5) years.

Exception Reporting

(A12) The registered operator of an ERA to which this permit relates must notify the administering authority in writing of any monitoring result which indicates an exceedance of any development permit limit within twenty-eight (28) days of completion of analysis.

(A13) The written notification required by condition A12 above must include:
- (i) the full analysis results;
- (ii) details of investigation or corrective actions taken; and
- (iii) any subsequent analysis.

End of Conditions for Schedule A

SCHEDULE B - AIR

Noxious or Offensive Odour

(B1) 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.

(B2) When requested by the administering authority, monitoring must be undertaken to investigate any complaint of environmental nuisance caused by odour, 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 by an independent person or body possessing appropriate experience and qualification to perform the required measurements, at a place(s) relevant to the potentially sensitive place and upwind sites.

(B3) If monitoring indicates or where it is determined by an authorised person that environmental nuisance is caused or threatened by the release of odour, dust and/or particulate emissions from the approved activities, then the registered operator must:
- (a) advise the administering authority of planned abatement measures; and
- (b) as soon as practicable implement the advised abatement measures such that the release of odour, dust and/or particulate emissions from the activity will not result in further environmental nuisance.

End of Conditions for Schedule B

SCHEDULE C - WATER

Release to Waters

(C1) Contaminants must not be released from the site to any waters or the bed and banks of any waters.

Stormwater Management

(C2) 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.

General

(C3) The maintenance and cleaning of vehicles and any other equipment or plant must be carried out in areas from where contaminants cannot be released into any waters, roadside gutter or external stormwater drainage system.

(C4) Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillages must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any external stormwater drainage system, roadside gutter or waters.

(C5) A suitable system of diversion banks and or diversion drains must be established and maintained immediately up-slope of the irrigation area to exclude stormwater run-off from:
(i) any areas used for the storage and/or treatment of contaminants or wastes; and
(ii) land used for irrigation with contaminants or wastes.

End of Conditions for Schedule C

SCHEDULE D - LAND APPLICATION

Land disposal

(D1) The only contaminants permitted to be released to land are treated effluent to the area shown in Schedule I – Figure 1 "Wastewater Irrigation Area" in compliance with the limits stated in Schedule D - Table 1-Contaminant release limits to land and the conditions of this permit.

SCHEDULE D - TABLE 1 – Contaminant release limits to land

	Release Limit				
Quality characteristics	**minimum**	**median**	**maximum**	**Sampling point**	**Frequency**
Total Nitrogen			30 mg/L	Post disinfection and immediately prior to irrigation	monthly
Total Phosphorus			15 mg/L		monthly
Faecal Coli forms (cfu[1]/100mL)		<200[2]			monthly
Volume of effluent released and flow rate (litres per day)			5000		daily
pH	6.5		8.5		Weekly
Dissolved Oxygen (mg/L)			2 mg/L		Weekly

[1]Means colony forming units

[2]Means median of five consecutive samples taken over 24 hours at no less than thirty (30) minute intervals

(D2) All determinations of the quality of contaminants released must be:

(i) made in accordance with methods prescribed in the latest edition of the administering authority's Monitoring and Sampling Manual;
(ii) carried out on samples that are representative of the discharge; and
(iii) all determinations of the quality of contaminants released must be performed by a person or body possessing appropriate experience and qualifications to perform the required measurements.

(D3) Irrigation of the contaminants to the irrigation area must only be by sub-surface means at a minimum depth of 100mm.

(D4) The total quantity of contaminants released daily to the irrigation area must not exceed five (5) cubic meters per day.

(D5) 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

(D6) Tensiometer(s) and/or rain sensors must be installed at appropriate locations in the irrigation area to monitor the level of moisture in the soil before and after irrigation. The soil field capacity must not be exceeded.

(D7) A minimum of 2400 square metres of land must be provided for the irrigation area.

(D8) Notwithstanding the quality characteristic limits specified in Schedule D Table 1-Contaminat release limits to land of the land application schedule, the contaminants must not have any properties nor contain any organisms or contaminants in concentrations which are capable of causing environmental harm.

Irrigation Area Management Plan

(D9) The release of contaminants to the irrigation area must be carried out in a manner such that:

a) vegetation is not damaged;
b) soil erosion and soil structure damage is avoided;
c) there is no surface ponding and/or runoff of treated effluent;
d) percolation of treated effluent beyond the plant root zone is minimised;
e) capacity of the land to assimilate nitrogen, phosphorus, salts, organic matter as measured by oxygen demand and water is not exceeded; and
f) quality of ground water is not adversely affected.

(D10) All grass/vegetation clippings must be removed from the irrigation area upon harvesting.

(D11) Within 3 months of the date of issue of this permit, the registered operator must develop and implement an Irrigation Management Plan (IMP) which details how the irrigation process will be effectively and appropriately managed so as to ensure that the release of contaminants to land is carried out in an environmentally sustainable manner.
As a minimum, the IMP must include:

a) strategies to ensure the irrigation is carried out in a manner such that meets the condition D9 of this permit;
b) procedures for the management of irrigation when soil moisture conditions are such that surface runoff, ponding or pooling beyond the property boundary is likely to occur;
c) procedures to ensure the irrigation of land will not result in adverse public health issues; and
d) procedures for educating and training staff about public heath issues associated with the irrigation on-site
e) a Site Plan of the irrigation area showing the irrigation pipe layout and any monitoring points.

(D12) A copy of the Irrigation Management Plan must be kept at the premises to which this development permit relates and be available to an officer authorised under the *Environmental Protection Act 1994* upon request.

(D13) Notices must be prominently displayed on areas undergoing effluent irrigation, 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.

(D14) Pipelines and fittings for the release of contaminants to land must be clearly identified. Standard water taps, hoses and cocks must not be fitted to contaminant release pipelines, and the contaminant release system must not be connected to other service pipelines. Lockable valves or removable handles must be fitted to the contaminant release pipelines where there is public access to the contaminant release areas.

(D15) The registered operator of an ERA to which this permit relates must keep a copy of all agreements entered with the relevant approved contractor and must:

(i) provide a copy of the agreement to the administering authority within thirty (30) days of the agreement taking effect; and

(ii) advise the administering authority in writing of rescission of any agreement within thirty (30) days of such rescission.

Buffer distances

(D16) Ensure appropriate buffer distances are provided between rare and threatened flora species and any contaminant release areas / waste water treatment system and infrastructure. The following setback distances must be adhered to;

(a) 10m from an intermittent or permanent watercourse or open stormwater drainage channel;

(b) 6m from the water's edge of swimming pool when located lower or higher than the disposal area (must also be outside of the pool enclosure);

(c) 4m from a dwelling, property boundary, path, walkway and the like when located down-slope from disposal area, or 2m when up-slope;

(d) 10m from a dam or bore used or likely to be used for human and/or domestic consumption;

(e) 6m from an in-ground portable water tank; and

(f) 0.6m unsaturated soil depth to a permanent water table (vertically).

Irrigation Area Monitoring Program

(D17) The registered operator of an ERA to which this permit relates must develop and implement an Irrigation Area Monitoring Program to effectively monitor the condition of the land to which contaminants are released.

Soil Impact Monitoring

(D18) Monitoring required by condition D17 shall include the taking of top soil and sub-soil samples from at least five (5) representative sites for the quality characteristics and at the frequency specified in Schedule D - Table 2 -Soil impact monitoring.

SCHEDULE D - Table 2 -Soil impact monitoring

QUALITY CHARACTERISTICS	UNITS	MONITORING FREQUENCY
pH	pH scale	On commencement and Biennially thereafter
Total Nitrogen as N	mg/kg	On commencement and Biennially thereafter
Total Phosphorus as P	mg/kg	On commencement and Biennially thereafter
Specific Conductance or Electrical Conductivity	µS/cm	On commencement and Biennially thereafter
Sodium Adsorption Ratio		On commencement and Biennially thereafter
Potassium	mg/kg	On commencement and Biennially thereafter
Total Calcium	mg/kg	On commencement and Biennially thereafter
Total Magnesium	mg/kg	On commencement and Biennially thereafter
Total Sodium	mg/kg	On commencement and Biennially thereafter
Cation Exchange Capacity	meq/100g	On commencement and Biennially thereafter
Exchangeable Calcium	meq/100g	On commencement and Biennially thereafter
Exchangeable Sodium	meq/100g	On commencement and Biennially thereafter
Exchangeable Magnesium	meq/100g	On commencement and Biennially thereafter
Exchangeable Aluminium	meq/100g	On commencement and Biennially thereafter
Exchangeable Potassium	meq/100g	On commencement and Biennially thereafter

(D19) Not more than six (6) calendar months after the date of issue of this permit, the registered operator of an ERA to which this permit relates must submit a proposal for the Irrigation Area Monitoring Program to the administering authority.

(D20) The proposal for the Irrigation Area Monitoring Program must include but not be limited to the following:
(i) the locations of monitoring stations including soil types and depths;
(ii) the proposed vegetation characteristics to be monitored; and
(iii) harvesting practice to ensure the proper maintenance of the irrigation area.

(D21) The registered operator of an ERA to which this permit relates must submit with the Annual Return a report on the Irrigation Area Monitoring Program including an assessment of the impact and sustainability of the application of the contaminants to the irrigation area. This report shall include an interpretation of the results and conclusions by an expert in the field of effluent land disposal.

Groundwater impact monitoring

(D22) The registered operator of an ERA to which this permit relates must implement a groundwater monitoring program (GMP), to monitor the quality of groundwater potentially impacted by any direct or indirect release of contaminants associated with the operations of the ERA.

(D23) In accordance with the following requirements:

(a) All determinations of the quality of contaminants released to waters must be made in accordance with, but are not limited to, methods prescribed in:

(i) AS/NZS 5667:11:1998 – *Water Quality – Sampling – Guidance on sampling of groundwaters* , or more recent editions or supplements to that document as such become available; and/or

(ii) the *"Department of Environment and Resource Management Monitoring and Sampling Manual 2009",* or more recent editions or supplements to that document as such become available.

(b) Groundwater samples must be taken from a sufficient number of bores to represent the groundwater aquifer and must be analysed for, but are not limited to, the quality parameters required in Schedule D Table 3- groundwater impact monitoring and sampling frequencies;

(c) Standing water levels and total well depths in metres must be measured and recorded on during each sampling event relative to the Australian Height Datum. Such measurements must be undertaken prior to any disturbance by sampling activities and must be reported as the depth in metres from the top edge of the highest point of the casing collar to the water surface within the bore; and

(d) Groundwater quality must be monitored as often as necessary, but not less frequently than required in Schedule D Table 3- Groundwater impact monitoring and sampling frequencies.

SCHEDULE D – Table 3-groundwater impact monitoring and sampling frequencies

Quality characteristics	Units	Frequency	Location
Water level	mBTOC	Yearly	At a sufficient number of bores to represent the aquifer
pH	scale	Yearly	
Electrical Conductivity	µs/cm	Yearly	
Total Nitrogen	mg/L	Yearly	
Total Phosphorus	mg/L	Yearly	
E. coli	Colony forming units/100mL	Yearly	
5 day Biochemical Oxygen Demand	mg/L	Yearly	

Groundwater Monitoring Analysis Reporting

(D24) The registered operator of an ERA to which this permit relates must ensure that the groundwater monitoring data gathered in accordance with this permit is analysed and interpreted to assess the nature and extent of any environmental harm of the ERA(s) and/or Notifiable Activities. The assessment must also include; but not be limited to, the location, nature (confined, unconfined etc) and quality of each aquifer, define groundwater contours, and indicate direction of flow. The data collation, analysis and assessment must be conducted by a suitably qualified and experienced person and must be submitted to the administering authority upon request.

(D25) Groundwater monitoring bores must be constructed and operated in accordance with methods prescribed in the latest edition of the Agricultural and Resource Management Council of Australia and New Zealand manual titled *Minimum Construction Requirements for Water Bores in Australia.*

Preventing contaminant release to land

(D26) 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.

Wet weather storage

(D27) When conditions prevent the irrigation to land (such as during or following rain events), the treated effluent must be directed to wet weather storage or alternative measures must be taken to store/lawfully dispose of the treated 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

(D28) Minimum wet weather storage of 37000 Litres must be provided for the treated effluent which must be closed from incidental rainfall and equipped with an audible and/or visible warning high level alarms.

Contaminant Storage

(D29) Within twenty-four (24) hours prior to any event being carried out at the approved place where the population attending the centre is likely to exceed the design capacity of the system (including irrigation area) the registered operator of an ERA to which this permit relates must take immediate actions necessary to ensure that the design capacity of the system (including the irrigation area) is not exceeded.

(D30) The primary tank must be fitted with a high level alarm which is capable of providing the operator with an audible and/or visible warning that eighty percent (80%) capacity has been reached.

(D31) The irrigation tank must be fitted with a high level alarm which is capable of providing the operator with an audible and/or visible warning that eighty percent (80%) capacity of the irrigation tank has been reached.

(D32) Whenever the level in the irrigation tank exceeds eighty percent (80%) capacity, the registered operator of an ERA to which this permit relates must take action as soon as reasonably practicable to reduce the stored level to less than eighty percent (80%) capacity by removal of stored effluent via irrigation where not prevented by wet weather conditions or by a approved contractor for off-site disposal to an approved sewage treatment plant.

(D33) The registered operator of an ERA to which this permit relates must keep a copy of all agreements entered with the relevant approved contractor and must:

(iii) provide a copy of the agreement to the administering authority within thirty (30) days of the agreement taking effect; and

(iv) advise the administering authority in writing of rescission of any agreement within thirty (30) days of such rescission.

End of Conditions for Schedule E

SCHEDULE E - NOISE

Emission of Noise

(E1) In the event of a complaint about noise that constitutes unreasonable intrusive noise being made to the administering authority, that the administering authority considers is not frivolous or vexatious, then the

emission of noise from the approved place must not result in levels greater than those specified in Schedule E - Table 1.

SCHEDULE E - TABLE 1

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'					
$L_{A10,\ adj,\ 10\ mins}$	Bkg + 5	Bkg + 5	Bkg + 0	Bkg + 5	Bkg + 5	Bkg + 0
$L_{A1,\ adj,\ 10\ mins}$	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
	Noise measured at a 'Commercial place'					
$L_{A10,\ adj,\ 10\ mins}$	Bkg + 10	Bkg + 10	Bkg + 5	Bkg + 10	Bkg + 10	Bkg + 5
$L_{A1,\ adj,\ 10\ mins}$	Bkg + 15	Bkg + 15	Bkg + 10	Bkg + 15	Bkg + 15	Bkg + 10

Noise Monitoring

(E2) When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief), and the results notified within 14 days to the administering authority.

For the purpose of this condition, noise monitoring must be conducted by a person(s) with appropriate experience and/or qualifications in accordance with the latest edition of the administering authority's Noise Measurement Manual, and include:

(a) $L_{A\ eq,\ adj,\ 1hr}$;
(b) $L_{A\ bg,\ T}$ or $L_{A\ 90,\ T}$;
(c) $L_{A\ 10,\ adj,\ 1\ hour}$;
(d) $L_{A\ 1,\ adj,\ 1\ hour}$;
(e) the level and frequency of occurrence of impulsive or tonal noise;
(f) atmospheric conditions including wind speed and direction;
(g) effects due to extraneous factors such as traffic noise; and
(h) location, date and time of recording.

(E3) If noise monitoring indicates or where it is determined by an authorised person that environmental nuisance is being caused, you must:

(a) address the complaint, including the use of appropriate dispute resolution if required; and
(b) immediately implement noise abatement measures so that emissions of noise from site activities do not result in further environmental nuisance

End of Conditions for Schedule E

SCHEDULE F - WASTE MANAGEMENT

General

(F1) The registered operator of an ERA to which this permit relates must not:

(i) burn waste at or on the approved place;
(ii) allow waste to burn or be burnt at or on the approved place; nor

(iii) remove waste from the approved place and burn such waste elsewhere other than an appropriate approved waste disposal facility that can lawfully burn such waste.

Off Site Movement

(F2) All transport of regulated waste generated in carrying out the ERA must be transported by a proper and appropriate approved waste transporter that can lawfully transport such waste.

(F3) All disposal of regulated waste generated in carrying out the ERA must be to a proper and appropriate approved waste disposal facility that can lawfully accept such waste or to a facility that can lawfully and appropriately reuse and/or recycle such waste, except as specifically provided for under the conditions of this development permit.

(F4) Where regulated waste is removed from the approved place (other than by a release as permitted under another schedule of this development permit), the registered operator of an ERA to which this permit relates must monitor and keep records of the following:

(a) the date, quantity and type of waste removed;
(b) the name of the waste transporter and/or disposal operator that removed the waste; and
(c) the intended treatment/disposal destination of the waste.

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

Notification of Improper Disposal of Regulated Waste

(F5) If the registered operator of an ERA to which this permit relates becomes aware that a person has removed regulated waste from the approved place and disposed of the regulated waste in a manner which is not authorised by this permit or is improper or unlawful, then the registered operator of the ERA to which this permit relates must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of Conditions for Schedule F

SCHEDULE G - SELF MONITORING AND REPORTING

Complaint Recording

(G1) All complaints received by the registered operator of an ERA to which this permit relates relating to releases of contaminants from operations at the approved place must be recorded in a log and kept with the following details:

(i) time, date and nature of complaint;
(ii) type of communication (telephone, letter, personal etc.);
(iii) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded);
(iv) response and investigation undertaken as a result of the complaint;
(v) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of responsible person.

(G2) The complaints record required by condition G1 must be maintained for a period of not less than five (5) years.

End of Conditions for Schedule G

SCHEDULE H - DEFINITIONS

Words and phrases used throughout this permit[1] are defined below. Where a definition for a term used in this permit[1] is sought and the term is not defined within this permit[1] the definitions provided in the relevant legislation shall be used.

(H1) "**administering authority**" means the Environmental Protection Agency or its successor.

(H2) "**land**" means land excluding waters and the atmosphere.

(H3) "**Act**" means the *Environmental Protection Act 1994*.

(H4) "**authorised person**" means a person holding office as an authorised person under an appointment under this Act by the chief executive or chief executive officer of a local government.

(H5) "**licensed**" means the person operating the facility mentioned in that condition holds a relevant licence under the *Environmental Protection Act 1994* to carry out an environmentally relevant activity mentioned in that condition.

(H6) "**regulated waste**" means non-domestic waste mentioned in section 65 of the *Environmental Protection Regulation 2008* (whether or not it has been treated or immobilised), and includes:

(a) for an element - any chemical compound containing the element; and
(b) anything that has contained a regulated waste.

(H7) "**noxious**" means harmful or injurious to health or physical well-being.

(H8) "**offensive**" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

(H9) "**mg/L**" means milligrams per litre.

(H10) "**cfu**" means colony forming units.

(H11) "**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 (2) middle values.

(H12) "**maximum**" means that the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

(H13) "**minimum**" means that the measured value of the quality characteristic or contaminant must not be less than the release limit stated.

(H14) "**range**" means that the measured value of the quality characteristic or contaminant must not be greater than the higher release limit stated nor less than the lower release limit stated.

(H15) "**total Nitrogen**" means the sum of Organic Nitrogen, Ammonia, Nitrite plus Nitrate, as mg/L of Nitrogen.

(H16) "**total Phosphorus**" means the sum of the reactive phosphorus, acid-hydrolysable phosphorus and organic phosphorus, as mg/L of Phosphorus. This includes both the inorganic and organic fraction of phosphorus.

Noise Definitions

(H17) "$L_{Amax\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than fifteen (15) minutes, using Fast response.

(H18) "**Max $L_{pA,T}$**" means the maximum A-weighted sound pressure level measured over a time period of not less than fifteen (15) minutes, using Fast response.

(H19) "**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 fifteen (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 fifteen (15) minutes, using Fast response.

(H20) "**noise sensitive place**" means any of the following places:

(a) a dwelling;

(b) a library, childcare centre, kindergarten, school, college, university or other educational institution;

(c) a hospital, surgery or other medical institution;
(d) a protected area, or an area identified under a conversation plan as a critical habitat or an area of major interest, under the *Nature Conservation Act 1992*;
(e) a marine park under the *Marine Parks Act 1982*; and
(f) a park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment.

(H21) "**dwelling**" means any of the following structures or vehicles that is principally used as a residence:

(a) a house, unit, motel, nursing home or other building or part of a building;
(b) a caravan, mobile home or other vehicle or structure on land; and
(c) a watercraft in a marina.

(H22) "**commercial place**" means a place used as an office or for business or commercial purposes.

(H23) "**unreasonable noise**" means noise that:

(a) causes unlawful environmental harm; and
(b) is not declared to be reasonable.

(H24) "**intrusive noise**" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration -

(a) is clearly audible to, or can be felt by, an individual; and
(b) annoys the individual.

In determining whether a noise annoys an individual, regard must be had to Australian Standard 1055.2 - 1989 Acoustics - Description and Measurement of Environmental Noise Part 2 Application to Specific Situations.

(H25) "**you**" means the holder of this Development Permit or owner / occupier of the land which is the subject of this Development Permit

(H26) "**permit**" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Sustainable Planning Act 2009*

(H27) "**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 runoff, and groundwater and any part thereof.

(H28) **"annual return"** means the return required by the annual notice (under section 316 of the *Environment Protection Act 1994*) for the section 73F registration certificate that applies to the development permit.

(H29) **"site"** means land or tidal waters on or in which it is proposed to carry out the development approved under this development permit.

End of Conditions for Schedule H