

Permit

Environmental Protection Act 1994

Environmental authority EPPR00514413

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

Environmental authority number: EPPR00514413

Environmental authority takes effect on 07-01-2021

Environmental authority holder(s)

Name(s)	Registered address
Randall James Ford	22 George St MACKAY QLD 4740 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 63 - Sewage Treatment 1: Operating sewage treatment works, other than no-release works, with a total daily peak design capacity of (a-i) 21 to 100EP if treated effluent is discharged from the works to an infiltration trench or through an irrigation scheme	Lot 10 on CI3568

Additional information for applicants

Environmentally relevant activities

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

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

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

Contaminated land

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

Environmental authority

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

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

Take effect

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

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

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

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

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

Mark Franco
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

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Date issued: 11 January 2021

Obligations under the *Environmental Protection Act 1994*

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

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

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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 - Activity
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise and vibration
- 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 authority.

NOTE: This authority authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this authority explicitly authorises that harm. Where there is no condition or the authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

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.

The site based management plan must address the following matters:

- Environmental commitments - a commitment by senior management to achieve environmental goals.
- Identification of environmental issues and potential impacts.
- Control measures for routine operations to minimise likelihood of environmental harm.
- Contingency plans and emergency procedures for non-routine situations.
- Organisational structure and responsibility.
- Effective communication.
- Monitoring of the contaminant releases.
- Conducting environmental impact assessments.
- Staff training.
- Record keeping.
- Periodic review of environmental performance and continual improvement.

Records

- (A5-1) Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested.
- (A5-2) Records of daily occupancy of the Kinchant Waters Resort must be maintained and supplied to the administering authority, when requested.

Scope

- (A6-1) This environmental authority permits the treatment of sewage from a maximum of 75 equivalent persons per day.

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 directly from the site 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.

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise and vibration**Noise nuisance**

- (D1-1) Noise from activities must not cause an environmental nuisance at any noise affected premises.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste**Waste handling**

- (E5-1) All regulated waste removed from the site must be removed by a person who holds a current authority to transport such waste under the provisions of the *Environmental Protection Act 1994*.
- (E5-2) Records of off-site movement of regulated wastes must be kept for five years, and must include the following information:
- date of pickup of waste;
 - description of waste;
 - cross reference to relevant waste transport documentation;
 - quantity of waste;
 - origin of the waste;
 - destination of the waste; and
 - intended fate of the waste, for example, type of waste treatment, reprocessing or disposal.

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

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land**Monitoring Bore Installation**

- (F1-1) Groundwater monitoring bores must be installed and used for groundwater monitoring. At least, one monitoring bore must be installed and located down gradient from the irrigation area (situated between surface waters of Kinchant Dam and the effluent irrigation area), by 31st October 2003.

Annual monitoring report (effluent and groundwater)

- (F1-2) The groundwater monitoring bore installed under this authority must be fitted with a lockable cap, which must be locked at all times other than when monitoring procedures are carried out.
- (F1-3) An annual report of the effluent and groundwater monitoring undertaken must be provided to the administering authority with the annual return.

Land disposal

- (F2-1) The only contaminants permitted to be released to land are treated effluents and stormwater to an area, of at least 5500m², on Lot 10 Plan CI3568 in compliance with the release limit 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				
	Minimum	50th Percentile	80th Percentile	Maximum	Median
5-day Biological Oxygen Demand (mg/L)				20mg/L	
Suspended Solids (mg/L)				30mg/L	
Total Nitrogen				25mg/L	
Total Phosphorus				10mg/L	
Thermotolerant coliforms		10CFU		200CFU	
pH	6.5			8.5	

- (F2-3) The surface 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;
 - 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.

- (F2-4) Notices must be prominently displayed on any effluent irrigation area warning the public that the area is irrigated with effluent and that the public should not drink or use the wastewater. These notices must be maintained in a visible and legible condition.
- (F2-5) 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.
- (F2-6) Monitoring must be undertaken and records kept of effluent and water quality at the monitoring bore and effluent disposal area (described in Schedule 1 figure 1), at the frequency, and for the parameters specified in Schedule F - Table 2; and
- made in accordance with methods prescribed in the latest edition of the Environment Protection Agency Water Quality Sampling Manual; and
 - be representative of the bore water / effluent discharge.

Schedule F - Table 2 (Monitoring program)

Monitoring point	Quality characteristics	Units	Frequency
Release to irrigation area	BOD	mg/l	6 monthly
Release to irrigation area	Suspended Solids	mg/l	6 monthly
Release to irrigation area	pH		6 monthly
Release to irrigation area	Total Nitrogen	mg/l	6 monthly
Release to irrigation area	Total Phosphorus	mg/l	6 monthly
Release to irrigation area	Thermotolerant coliforms	CFU	3 monthly
Groundwater monitoring bore	Thermotolerant coliforms	CFU	Annually
Groundwater monitoring bore	Nitrate	mg/l	Annually
Groundwater monitoring bore	Ammonia	mg/l	Annually

All determinations of the quality of the bore water must be:

- In accordance with AS5667.11:1998; and
- Undertaken by a suitably qualified person.

- (F2-7) 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.
- (F2-8) When conditions prevent the irrigation of treated effluent to land (such as during or following high rainfall events), alternative measures must be taken to store/dispose of effluent (such as wet weather storage or tankering sewage off site to a Council sewage treatment plant). A record must be kept of any effluent removal and off site disposal including destination, transporter, dates and volumes.

Preventing contaminant release to land

- (F3-2) Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

Effluent treatment and disposal area

- (F4-1) The sewage treatment facility, including the effluent irrigation area, must be sized and managed according to AS/NZS 1547:2000 "On-site domestic-wastewater management".
- (F4-2) An area of at least 5500m² must be utilised for the irrigation of effluent.
- (F4-3) A reserve area of at least 5500m² must be set aside for future effluent irrigation.
- (F4-4) The effluent irrigation area must have a separation distance of at least 30 metres from any surface waters or groundwater bores.

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 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.

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

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

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

"this authority" means this environmental authority/development approval.

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

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

"dust sensitive place" means -

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

and includes the curtilage of any such place.

"effluent" means any wastewaters produced following the treatment of sewage.

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

"dwelling" means any of the following structures or vehicles that is principally used as a residence-

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- a water craft in a marina.

"noxious" means harmful or injurious to health or physical well being.

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

"nuisance sensitive place" includes -

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
 - a motel, hotel or hostel; or
 - a kindergarten, school, university or other educational institution; or
 - a medical centre or hospital; or
 - a protected area under the Nature Conservation Act 1992, the Marine Parks Act 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.

" $L_{A, 10, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.

" $L_{A, 1, \text{adj}, 10 \text{ mins}}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period, using Fast response

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

"noise affected premises" means a "noise sensitive place" or a "commercial place"

"noise sensitive place" means -

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

and includes the curtilage of such place.

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

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

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

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

"protected area" means -

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

"waters" includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

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

"mg/L" means milligrams per litre.

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

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

"infectious waste" means "clinical waste"

"annual return" means the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the development approval.

END OF DEFINITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

No plans or maps attached.

END OF CONDITIONS FOR SCHEDULE I

