



Licence No. NM0328

(without development approval)

Section 93 Environmental Protection Act 1994

This licence to carry out an environmental relevant activity is issued in accordance with section 93 of the Environmental Protection Act 1994.

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

Barard Management Pty Ltd
SeaEagles CTS 29556
(Trading as SeaEagles Beach Resort)
149 Rasmussen Avenue
Salonika Beach QLD 4740

in respect of carrying out the environmental relevant activity:

15(a) Sewage treatment - Operating a standard sewage treatment works having a peak design capacity to treat sewage of 21 or more equivalent persons but less than 100 equivalent persons

at the following place(s):

Lot 3 on Plan RP858316 (contains Lots 1 to 5 on BUP100299) &
Lot 5 on RP887207 (contains lots 1 to 15 on BUP103509).

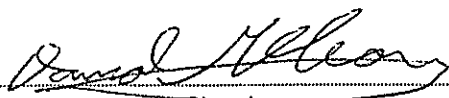
located at:

149 Rasmussen Avenue, Salonika Beach.

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

The anniversary date of this licence is **15 December**

This licence takes effect from **15 December 2003**.


Signed

12 December 2003

Date

David McLean
District Manager
Delegate of Administering Authority
Environmental Protection Act 1994

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 - 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.

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.

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.

Scope

- (A6-1) This environmental authority permits the operation of a combined 45-equivalent person sewage treatment and disposal facility. The combined sewage treatment facility consists of a 10-equivalent person sewage treatment system and a 35-equivalent person treatment system with the effluent disposed to a common irrigation area of 1000m² and an absorption trench disposal system of 100m².

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 site to any surface waters or the bed and banks of any surface 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 surface 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 approval to transport such waste under the provisions of the *Environmental Protection Act 1994*.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land

- (F2-1) The only contaminants permitted to be released to land are treated effluent to the irrigation areas and trench area in compliance with the limits stated in Table 1 of Schedule F.

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

Quality characteristics	Release Limit		
	Minimum	50th Percentile	Maximum
5-Day Biological Oxygen Demand			20 mg/l
Suspended Solids			30 mg/l
Thermotolerant coliforms			1000 CFU/100ml
Total Phosphorus			15 mg/l
Total Nitrogen			30 mg/l
pH	6.5		8.5

- (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 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.

Schedule F - Table 2 (Monitoring program)

Monitoring point	Quality characteristics	Units	Frequency
Treated effluent storage tanks	BOD	mg/l	6 Monthly
Treated effluent storage tanks	Suspended Solids	mg/l	6 Monthly
Treated effluent storage tanks	pH		6 Monthly
Treated effluent storage tanks	Total Nitrogen	mg/l	6 Monthly
Treated effluent storage tanks	Total Phosphorus	mg/l	6 Monthly
Treated effluent storage tanks	Thermotolerant coliforms	CFU/100ml	3 Monthly

- (F2-6) The weekly volume of effluent released to land must be determined or estimated by an appropriate method.



- (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.

Preventing contaminant release to land

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

Effluent disposal area

- (F4-1) The irrigation of the effluent to land must be maximised, with the disposal of any excess effluent discharged to the absorption trench.
- (F4-2) The operator must make available at least 1000m² for effluent irrigation and the use of an absorption trench of at least 100m² by the 31 December 2004.
- (F4-3) The effluent irrigation and disposal areas must have a separation distance of at least 30 metres from any groundwater bore.

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*

"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.

"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.

"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.

"thermotolerant Coliforms" means as defined within the Australian Standard 4276.7 -1995 or more recent versions of this standard.

"effluent" means treated wastewater that meets the specifications in Table 1 - Schedule F.

END OF DEFINITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

There are no attachments to this schedule.

END OF CONDITIONS FOR SCHEDULE I

END OF ENVIRONMENTAL AUTHORITY

