Department of Environment and Resource Management

COPY

55

File No: BST1051
BST2011/1401
C1892704 21-Jul-2011



Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE01773310

This registration certificate is issued by the administering authority and takes effect from: 23-JUN-2011.

The anniversary day for the purposes of the Annual Return remains: 20 June.

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

Registered Operator:-
Cedar Lake Country Club Limited
555 Nerang Murwillumbah Road
ADVANCETOWN QLD 4211

Place:-
Lot 3 Plan RP134048
Located at:-
555 Nerang Murwillumbah Road,ADVANCETOWN QLD 4211
Registered Activity: -
ERA 63 Sewage treatment Threshold 2(b) - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of more than 100 to 1500EP (i) if treated effluent is discharged to an infiltration trench or through an irrigation scheme

C. C. Birt

Cathy Birt
Delegate
Department of Environment and Resource Management
Environmental Protection Act 1994

23-JUN-2011

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

Queensland Government

ecoaccess
environmental licences and permits

Notice of Decision – Development Approval

This notice is issued by the Environmental Protection Agency pursuant to Section 3.5.15 of the Integrated Planning Act 1997 to advise of a decision or action.

Cedar Lake Country Club Limited
PO Box 317
NERANG QLD 4211

Our reference: 251857

Dear Sir/Madam

Re: Application for Development Approval

The Environmental Protection Agency, acting as assessment manager, wishes to advise that your application for development approval, received on 10 January 2005, has been assessed, and on 20 June 2006 it was approved with conditions.

1. **Property/Location:**

   Street address - 555 Nerang Murwillumbah Road ADVANCETOWN QLD 4211

   Lot 3 RP134048

2. **Details of the decision**

   Aspect of Development
   - Development Approval for a MCU involving an ERA

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

   EPA Ref Number
   - IPDE00105305A11

3. **Effectiveness and currency periods**

   This development approval takes effect –
   - From the time the decision notice is given, if there is no submitter and the applicant does not appeal the decision to the court; or
   - When the submitter's appeal period ends, if there is a submitter and the applicant does not appeal the decision to the court; or
   - Subject to the decision of the court, when the appeal is finally decided, if an appeal is made to the court.

   [refer to sections 3.5.19 and 3.5.20 of the Integrated Planning Act 1997 for further details]

4. **The approved plans**

The approved plans and/or documents for this approval are:

Plan/Document No.	Plan/Document Name	Date
Figure 5.1	Cedar Lake Club Site layout indicating irrigation Site 1	

5. **Other necessary development permits**
This approval pursuant to the Integrated Planning Act 1997 does not remove the need to obtain any further approval for this development, required by this or other State and/or Commonwealth legislation. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required. Applicants should also comply with all relevant legislation.

6. **Codes for self-assessable development**
Any self-assessable development for an environmentally relevant activity conducted in conjunction with this approval, must comply with the relevant code of environmental compliance.

7. **IDAS referral agencies**
The IDAS referral agencies and their response to each approval type required for this application are:

Concurrence Agencies: Nil
Advice Agencies: Nil

8. **Submissions**
This application did not trigger Public Notification.

9. **Appeal rights**
An attached extract from the *Integrated Planning Act 1997* details your appeal rights regarding this decision. You should seek independent advice to confirm all your available avenues.

If you require more information, please contact Denise Leon, the Project Manager, on the telephone number listed below.

Yours sincerely

A. S. Connor

Andrew Connor

Delegate
Environmental Protection Agency

Date: 19/6/06

Enquiries:

SouthReg Environmental Operations*
Floor 23, 288 Edward Street
BRISBANE QLD 4001
Phone: (07) 3225 8485 Fax: (07) 3225 8495

Attachment – Appeal Rights (extract from the *Integrated Planning Act 1997*)

Attachment - Development Permit

ecoaccess
environmental licences and permits

APPEAL RIGHTS - Extract from the *Integrated Planning Act 1997*

Division 8—Appeals to court relating to development applications

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

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

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

4.1.28 Appeals by submitters

(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 under section 3.5.14 or 3.5.14A; or
  (b) for an application processed under section 6.1.28(2) – the part of the approval about the aspects of the development that would have required public notification under the repealed Act.

(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 currency period 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 3.5.19(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.

4.1.29 Appeals by advice agency submitters

(1) Subsection (1A) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.

(1A)The advice agency may, within the limits of its jurisdiction, appeal to the court about any part of the approval relating to the assessment manager's decision under section 3.5.14 or 3.5.14A.

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

(4) However, if the advice agency has given the assessment manager a notice under section 3.5.19(1)(b)(ii), the advice agency may not appeal the decision.

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

(1) For a development approval given for a development application, a person to whom any of the following notices have been given may appeal to the court against the decision in the notice -
  (a) a notice giving a decision on a request for an extension of the currency period for an approval;
  (b) a notice giving a decision on a request to make a minor change to an approval.

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

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

Division 9 - Appeals to court about other matters

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

(1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice -
  (a) a notice giving a decision on a request to change or cancel a condition of a development approval;
  (b) a notice under section 3.5.33A(9)(b) or 6.1.44 giving a decision to change or cancel a condition of a development approval.
(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

4.1.32 Appeals against enforcement notices

(1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.
(2) The appeal must be started within 20 business days after the day notice is given to the person.

4.1.33 Stay of operation of enforcement notice

(1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until -
  (a) the court, on the application of the entity issuing the notice, decides otherwise; or
  (b) the appeal is withdrawn; or
  (c) the appeal is dismissed.
(2) However, subsection (1) does not apply if the enforcement notice is about -
  (a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or
  (b) carrying out development that is the demolition of a work.

4.1.34 Appeals against decisions on compensation claims

(1) A person who is dissatisfied with a decision under section 5.4.8 or 5.5.3 for the payment of compensation may appeal to the court against -
  (a) the decision; or
  (b) a deemed refusal of the claim.
(2) An appeal under subsection (1)(a) must be started with 20 business days after the day notice of the decision is given to the person.
(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

4.1.35 Appeals against decisions on requests to acquire designated land under hardship

(1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 2.6.19, may appeal to the court against -
  (a) the decision; or
  (b) a deemed refusal of the request.
(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.
(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

4.1.37 Appeals from tribunals

(1) A party to a proceeding decided by a tribunal may appeal to the court against the tribunal's decision, but only on the ground -
  (a) of error or mistake in law on the part of the tribunal; or
  (b) that the tribunal had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.
(2) An appeal against a tribunal's decision must be started within 20 business days after the day notice of the tribunal's decision is given to the party.

4.1.38 Court may remit matter to tribunal

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

Division 10 - Making an appeal to court

4.1.39 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).

4.1.41 Notice of appeal to other parties (div 8)

(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) an y 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 4.1.30 has been given-
    (i) the chief executive; and
    (ii) the deciding entity; and
    (iii) any entity that was a concurrence agency or building referral agency for the development application to which the notice relates.
(2) The notice must be given within-
  (a) if paragraph (b) does not apply-10 business days after the appeal is started; or
  (b) 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.
(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 4.1.43 -
  (c) that the person may, within 10 business days after the day 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.

4.1.42 Notice of appeal to other parties (div 9)

(1) An appellant under division 9 must, within 10 business days after the day the appeal is started give written notice of the appeal to -
  (a) if the appellant is a person to whom a notice mentioned in section 4.1.31[73] has been given - the entity that gave the notice; or
  (b) if the appellant is a person to whom an enforcement notice is given - the entity that gave the notice and if the entity is not the local government, the local government; or
  (c) if the appellant is a person dissatisfied with a decision about compensation - the local government that decided the claim; or
  (d) if the appellant is a person dissatisfied with a decision about acquiring designated land - the designator; or
  (e) if the appellant is a person who is disqualified as a private certifier - the entity disqualifying the person and if the entity disqualifying the person is not the accrediting body, the accrediting body; or
  (f) if the appellant is a party to a proceeding decided by a tribunal - the other party to the proceeding.
(2) The notice must state the grounds of the appeal.

4.1.43 Respondent and co-respondents for appeals under div 8

(1) Subsections (2) to (8) apply for appeals under section 4.1.27 to 4.1.29.
(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 to the appeal.
(5) If the appeal is about a concurrence agency response, the concurrence agency is a co-respondent for the appeal.
(6) If the appeal is only about a concurrence agency 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 4.1.41 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 4.1.30-
  (a) the assessment manager is the respondent; and
  (b) any entity that was a concurrence agency or a building referral agency for the development application to which a notice under section 3.6.3 relates may elect to become a co-respondent.

4.1.44 Respondent and co-respondents for appeals under div 9

(1) This section applies if an entity is required under section 4.1.42 to be given a notice of an appeal.
(2) The entity given written notice is the respondent for the appeal.
(3) However, if under a provision of the section more than 1 entity is required to be given notice, only the first entity mentioned in the provision is the respondent.
(4) The second entity mentioned in the provision may elect to be a co-respondent.

4.1.45 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to the 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.

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

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

4.1.47 Lodging appeal stops certain actions

(1) If an appeal (other than an appeal under section 4.1.30) is started under division 8, the development must not be started until the appeal is decided or withdrawn.
(2) Despite subsection (1), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

ecoaccess
environmental licences and permits

Development Approval

Section 3.5.15

Integrated Planning Act 1997

EPA Permit[1] number:	IPDE00105305A11
Assessment Manager reference:	as above
Date application received by EPA:	10-JAN-2005
Permit[1] Type:	Development Approval for a MCU involving an ERA
Date of Decision:	20-JUNE-2006
Decision:	Granted in full with conditions
Relevant Laws and Policies:	*Environmental Protection Act 1994* and any subordinate legislation

Development Description

Property/Location

Lot/Plan	Lot 3 RP134048.
Street Address:	555 Nerang Murwillumbah Road, Advancetown Queensland.

Aspect of Development

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

Additional information for applicants

The standard currency periods stated in section 3.5.21 of the Integrated Planning Act 1997 or the nominated currency period, apply to each aspect of development in this permit1. For information on when this permit1 takes effect and the relevant currency periods, please see point 3 in the Notice of Decision.

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 Environmental Protection Agency.

Environmental Protection Agency
www.epa.qld.gov.au ABN 87 221 158 786

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

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.

Andrew Connor
Delegate
Environmental Protection Agency

Date:

CONDITIONS OF APPROVAL

Activity: ERA 15(b) Sewage treatment – operating – a standard sewage treatment works having a peak design capacity to treat sewage of 100 or more equivalent persons but less than 1 500 equivalent persons.

Agency Interest: General

General 1: Prevent and/or minimise likelihood of environmental harm.

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

General 2: Maintenance Of Measures, Plant and Equipment.

The operator of an ERA to which this approval relates must:
(a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and
(b) maintain such measures, plant and equipment in a proper and efficient condition; and
(c) operate such measures, plant and equipment in a proper and efficient manner.

General 3: Site Based Management Plan.

From commencement of an ERA to which this approval 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 associated with the sewage treatment activity.
(c) Control measures for routine operations to minimise potential of environmental harm.
(d) Contingency plans and emergency procedures for non-routine situations.
(e) Organisational structure and responsibility.
(f) Effective communication.
(g) Monitoring of the contaminant releases.
(h) Conducting environmental impact assessments.
(i) Staff training.
(j) Record keeping.
(k) Periodic review of environmental performance and continual improvement.

General 4: The SBMP must not be implemented or amended in a way that contravenes any condition of this approval.

General 5: Annual Monitoring Report.

An annual monitoring report must be prepared each year and presented to the administering authority when requested. This report shall include but not limited to:
(a) a summary of the previous twelve (12) months monitoring results obtained under any monitoring programs required under this approval and, in graphical form showing relevant limits, a comparison of the previous twelve (12) months monitoring results to effluent quality limits imposed by this approval and to relevant prior results;
(b) an evaluation/explanation of the data from any monitoring programs;
(c) a summary of any record of quantities of releases required to be kept under this approval;
(d) a summary of the record of equipment failures or events recorded for any site under this approval; and
(e) an outline of actions taken or proposed to minimise the environmental risk from any deficiency identified by the monitoring or recording programs.

General 6: Within 12 months of the issue of this development approval, the operator of an ERA to which this approval relates, must in the implementation of the SBMP, develop and implement an effective and appropriate Emergency response/Contingency Plan to manage the environmental impacts of any release of contaminants from pumps and other ancillary equipment.

General 7: The Emergency response/Contingency Plan required by condition General 6 must address at least the following matters:

(i) the location of each pump and overflow;
(ii) procedures to be implemented to reduce the likelihood of any pump failure and likelihood of any release of contaminants;
(iii) response procedures to prevent any further release, or if such is not practical minimise the extent and duration of any release to the greatest practicable extent;
(iv) the practices and procedures to be employed to restore the environment, or if such is not practicable, mitigate any environmental impacts of the release (including in both dry and wet conditions);
(v) a description of the resources to be used in response to a release;
(vi) the training of staff that will be called upon to respond to a release;
(vii) procedures to investigate the cause of any release, and where necessary, implement remedial actions to reduce the likelihood of recurrence of a similar event;
(viii) the provision and availability of documented procedures to staff attending any release to enable them to effectively respond; and
(ix) timely and accurate reporting of the circumstances and nature of release events to the administering authority.

General 8: An up to date copy of the Emergency response/Contingency plan must be kept at the approved place to which that plan relates and be available for examination by an authorised person on request.

General 9: Trained / Experienced Operator(s).

The daily operation of the waste treatment system and pollution control equipment must be carried out by a person(s) with appropriate experience and/or qualifications to ensure the effective operation of that treatment system and control equipment.

General 10: Equipment Calibration.

All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.

General 11: Records.

Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.

General 12: All records required by this approval must be kept for 5 years.

General 13: Notification.

Telephone the EPA's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.

General 14: Written advice must be provided within fourteen (14) days following any event as identified in condition General 13 of the following information:

- the location of the event;
- the time of the event;
- the time the holder of the development approval became aware of the event;
- the suspected cause of the event;
- a description of the resulting effects of environmental nuisance caused by the event; and / or environmental nuisance caused by the event; and
- proposed actions to prevent a recurrence of the event.

General 15: Alterations.

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 for by this approval.

Agency Interest: Air

Air 1: Nuisance.

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.

Agency Interest: Noise

Noise 1: Noise from the ERA must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

Agency Interest: Social

Social 1: Complaint Response.

The operator of the ERA must record the following details for all complaints received and provide this information to the administering authority on request:
(a) time, date, name and contact details of the complainant;
(b) reasons for the complaint;
(c) any investigations undertaken;
(d) conclusions formed; and
(e) any actions taken.

Agency Interest: Waste

Waste 1: All reasonable and practicable measures must be implemented to prevent the release of contaminants to surface waters from the storage, conditioning, treatment and disposal of screenings, grit, biosolids and sludges.

Waste 2: Waste generated in the carrying out of the activity must be stored, handled and transferred in a proper and efficient manner.

Waste 3: The operator of an ERA to which this approval relates must not:

(i) allow waste to burn or be burnt at or on the approved place; nor
(ii) remove waste from the approved place and burn such waste elsewhere.

Waste 4: Waste handling.

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.

Waste 5: Waste Management Plan

Within 12 months of the issue of this development approval, the operator of an ERA to which this approval relates, must in the implementation of the SBMP, develop and implement an effective and appropriate Waste Management Plan to manage the actual and potential environmental impacts resulting from all wastes produced at the approved place.

The Waste Management Pan must address at least the following matters:

(i) the quantity and nature of each waste produced;
(ii) the current method of disposal;
(iii) proposed methods of pre-treatment or disposal;
(iv) expected reduction in quantity of waste produced through waste minimisation and cleaner production;
(v) investigation and evaluation of alternative treatment options which shall include at least the following:

  (a) cleaner production technologies; and
  (b) disposal and/or reuse of sludge; and
  (c) reporting the results of any investigation and evaluation to the administering authority; and

(vi) provisions for carrying out and submitting to the administering authority a waste audit by 12 months from the date of issue of this development approval and thereafter every 5 years.

Waste 6: Off site movement of waste.

Where regulated waste is removed from site (other than by a release as permitted under another condition of this development approval), the registered operator must monitor and keep records of the following:

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

Waste 7: A copy of the Waste Management Plan and any subsequent amendment of the Waste Management Plan must be kept at the approved place and be available for examination by an authorised person on request.

Agency Interest: Water

Water 1: Contaminants must not be released from the site to any waters or the bed and banks of any waters except as otherwise provided by the conditions of this development approval.

Water 2: Except as otherwise provided by the conditions of this development approval, the ERA must be carried out by such reasonable and practicable means necessary to prevent the contact of incident rainfall and stormwater runoff with waste or other contaminants.

Water 3: Where it is not practical to prevent contact as required by condition Water 2, the ERA must be carried out by such reasonable and practicable means necessary to minimise such contact.

Water 4: Sewage pump station(s) must be fitted with stand-by pumps and pump - failure alarms and/or telemetry as well as high level alarms to warn of imminent pump station(s) overflow.

Water 5: All alarms and telemetry systems referred to in condition Water 4 must be able to raise an alarm should mains power failure occur at the pump station. When triggered the alarm must be reported to the appropriate person to respond to the failure.

Water 6: Any spillage of waste, 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 stormwater drainage system, roadside gutter or waters.

Water 7: Toxic Algae Management Plan.

Within 12 months of the issue of this development approval, the operator of an ERA to which this approval relates, must in the implementation of the SBMP, develop and implement an effective and appropriate Toxic Algae Management Plan, within any associated storage ponds to manage the actual and potential environmental impacts resulting from any occurrence of toxic algal outbreaks.

The Toxic Management Plan must address at least the following matters:

(i) weekly inspections to detect the presence of any bloom;
(ii) notification and reporting if blue-green algal blooms are confirmed;
(iii) the collection and analysis of samples if a bloom is suspected; and
(iv) remedial actions.

Water 8: A copy of the Toxic Algae Management Plan must be kept at the approved place.

Water 9: The operator of an ERA to which this approval relates must not implement a Toxic Algae Management Plan or amend a Toxic Algae Management Plan where such implementation or amendment would result in a contravention of any condition of this development approval.

Agency Interest: Land

Land 1: Land Disposal.

The only contaminants permitted to be released to land are treated sewage effluent from ponds #2 and #5 to Site 1 shown in Attachment 1 – Cedar Lake Country Resort Site Layout in compliance with the limits stated in Table 1 – Contaminant release limits to land.

Table 1 - Contaminant release limits to land.

QUALITY CHARACTERISTICS	MONITORING POINTS	RELEASE LIMIT	LIMIT TYPE	FREQUENCY
Total Nitrogen	G1	30 mg/L	Maximum	Monthly
Total Phosphorus	G1	15 mg/L	Maximum	Monthly
5 - Day Biochemical Oxygen Demand	G1	20 mg/L	Maximum	Monthly
pH	G1	6.0 to 8.5	Range	Monthly
Dissolved Oxygen	G1	2.0 mg/L	Minimum	Monthly
E.Coli	G1	1000 cfu/100mL	median value*	Monthly

Monitoring Point G1: outlet of irrigation pipe.

* For each of these values a response value should be set (e.g. 50% above the Queensland Water Recycling Guideline, Dec. 2005 value). If the response value is exceeded, another sample should be immediately taken. If this exceeds the response value again, the supply or recycled water should be suspected, and the non-conformance and corrective action process implemented, with supply not being re-established until conforming product can be guaranteed.

Land 2: Notwithstanding the quality characteristics limits specified in Table 1 – Contaminant release limits to land, releases of treated sewage effluent must not have any properties nor contain any organisms or other contaminants in concentrations that are capable of causing environmental harm.

Land 3: All ponds or other structures used for the storage or treatment of treated sewage wastes at or on the approved place must be constructed, installed and maintained:

(i) so as to minimise the likelihood of any release of treated sewage effluent through the bed or banks of the ponds or other structures to any waters;

(ii) so that an operational freeboard of not less than 0.5 metres is maintained at all times, except in emergencies, extreme rainfall events and during transfer of treated sewage effluents when water is also being drawn from the storage to bring the freeboard to not less than 0.5 metres;

(iii) so as to ensure the stability of the pond or other structure.

Land 4: The contaminant release area must not be used as a traffic thoroughfare.

Land 5: The irrigation of effluent 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 or runoff of effluent; and
(d) percolation of effluent beyond the plant root zone is minimised to provide adequate assimilation, evaporation and transpiration.

Land 6: All grass/vegetation clippings must be removed from the contaminant release area upon harvesting.

Land 7: When conditions prevent the irrigation of treated sewage effluent to land (such as during of following rain events), the contaminants must be directed to wet weather storage (pond #3, #4 and #5) or alternative measures must be taken to store or lawfully dispose of effluent (such as tanking off site to another treatment plant or sewer).

Land 8: 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.

Land 9: The total quantity of treated sewage effluent released any day must not exceed 140 cubic metres.

Land 10: Monitoring must be undertaken and records kept of a monitoring program of contaminant releases to the irrigation areas at the frequency, and for the parameters specified in Table 1 – Contaminant release limits to land.

Land 11: Spray from any release of contaminants to land must not drift so as to cause environmental harm.

Land 12: Public access and animal grazing to any contaminant release area must be denied during the release of contaminants to land and until the release area has been dried.

Land 13: Notices must be prominently displayed on areas undergoing treated sewage effluent irrigation, warning the public that the area is irrigated with treated sewage effluent and not to use or drink the treated sewage effluent. These notices must be maintained in a visible and legible condition.

Land 14: Pipelines and fittings associated with the effluent irrigation system must be clearly identified. Lockable valves or removable handles must be fitted to all release pipes situated in public access areas.

Land 15: Irrigation Monitoring Program.

Implement and maintain as part of the SBMP, an irrigation monitoring program (IMP) for the release of contaminants to land(s). As a minimum, the IMP must include:
(a) soil and sub-soil analysis, including assessment of the soils including types, structure, phosphorus adsorption capacity, nutrient status, salinity and sodicity, cation exchange capacity and sodium absorption ratio (SAR) of the contaminant release area, to be carried out at no less than six representative sites on an annual basis;
(b) plant analysis to assess nutrient export to be carried out on a biannual basis;
(c) determination of the quantity and quality of contaminants applied;
(d) periodic re-assessment, including modelling of the water, nutrient and salt balances and irrigation rate and return period should be undertaken, if necessary, to ensure sustainable use of the contaminant release area is being achieved; and
(e) reporting of monitoring results, and an assessment of the impact of the release on the contaminant release areas.

Land 16: The operator of an ERA to which this approval relates must submit to the administering authority with the annual monitoring report, a report on the irrigation monitoring program, (including an assessment of the impact of the release of effluent to the irrigation area), and whether the release is being carried out in an environmentally sustainable manner. This report shall include an interpretation of the results and conclusions by an expert in the field of effluent land disposal, including any recommendations to achieve sustainability should monitoring indicate non-sustainability.

ATTACHMENT 1

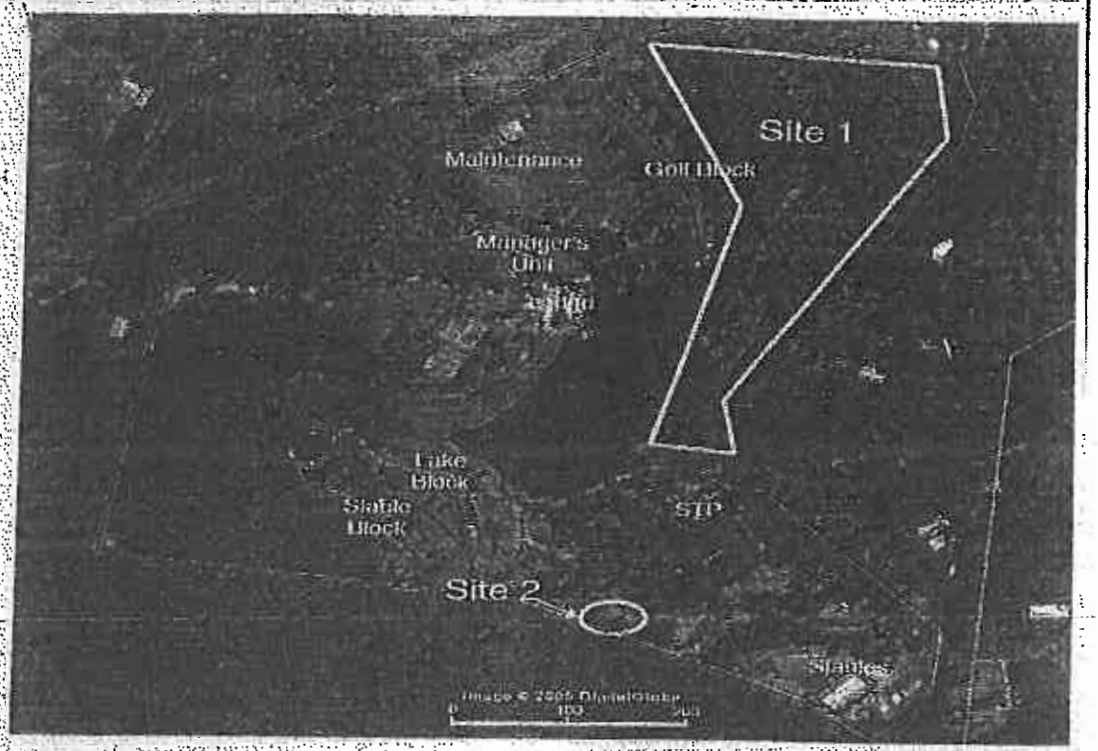


Figure 5.1: Cedar Lake Country Club Site Layout indicating Irrigation Site 1, approximately 3.5 hectares.

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.

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

"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 approval.

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

"approved plans" means the plans and documents listed in the approved plans section in the notice attached to this development approval.

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

"cfu" means colony forming units.

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

"contaminant" can be –

(a) a gas, liquid or solid; or

(b) an odour; or

(c) an organism (whether alive or dead), including a virus; or

(d) energy, including noise, heat, radioactivity and electromagnetic radiation; or

(e) a combination or contaminants.

"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.

"Environmental Protection Agency" means the department or agency (whatever called) administering the *Coastal Protection and Management Act 1995* or the *Environmental Protection Act 1994*.

"infectious waste" means waste containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.

"irrigation area" means the lands within the Cedar Lake Country Resort is permitted to receive treated sewage wastes.

"$L_{A\ 10,\ adj,\ 10\ mins}$" 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.

"$L_{A\ 1,\ adj,\ 10\ mins}$" 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.

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

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

"mg/L" means milligrams per litre.

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

"NTU" means nephelometric turbidity units.

"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.

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

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

"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.

"site" means land or tidal waters on or in which it is proposed to carry out the development approved under this development approval.

"sodium absorption ratio" (SAR) means the relative concentration of sodium (Na) to calcium (Ca) and magnesium (Mg) in the soil solution.

"total Nitrogen" means the sum of Organic Nitrogen, Ammonia Nitrogen, Nitrate plus Nitrate Nitrogen, which must be reported separately, expressed as mg/L as Nitrogen.

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

"treated sewage effluent" means aqueous waste flowing from sewage treatment plants, that has been subjected to screening, sedimentation, biological and chemical processes to improve its quality.

"watercourse" means a river, creek or stream in which water flows permanently or intermittently-

- in a natural channel, whether artificially improved or not; or
- in an artificial channel that has changed the course of the watercourse.

"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.

"works" or "operation" means the development approved under this development approval.

"you" means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

END OF CONDITIONS