

Spicer-Bell Claire

From: Dennis Baker (E.S.S.A) <e.s.a@bigpond.net.au>
Sent: Thursday, 27 December 2012 3:26 PM
To: Glosko Brett
Cc: Spicer-Bell Claire; wholesalesands@bigpond.com
Subject: BJ Water Mon Dec 12
Attachments: BJ Inv Qld sands water mon Dec 2012EHP ver.pdf; BJ Dec 12 Mon EB1231552_0_COA.pdf; BJ Dec 12 Mon EB1231552_0_SRN.pdf; BJ Dec 12 Mon EB1231552_COC.pdf; BJ Dec 12 Mon EB1231552_0_QCI.pdf; BJ Mon 12 EB1231552_0_QC.pdf

Categories: Red Category

Brett
As requested by letter

D Baker BSc
MASSI

RTI/DL RELEASE - EHP



0755461644
Waragap Holdings Pty Ltd
T/as
WHOLESALE SANDS
ABN 46 010 893 651
1754 Jacobs Well Road
Jacobs Well QLD 4208

Phone: (07) 5546 1454
Fax (07) 5546 1644

Site Address: 124 Behms Road, Jacobs Well
email: wholesalesands@bigpond.com

19th December 2012

Attention: M/s Claire Spicer-Bell
Fax: (07) 5583 2136

RECEIVED / REGISTERED Dept of Environment and Heritage Protection Gold Coast	
12 FEB 2013	
File #:	SOR113337
Item #:	2 004753

As per my recent telephone conversation, please find following a diagram for the proposed new buffer zone for my property at Lot 1 RP 186 126 Jacobs Well. This buffer zone will be done exactly the same as the Reinstatement of Land Bund between Lot 1 RP 186126 and Lot 1 SP 102616, that was done by Town Planner, Eamon McLynskey for DERM Approval.

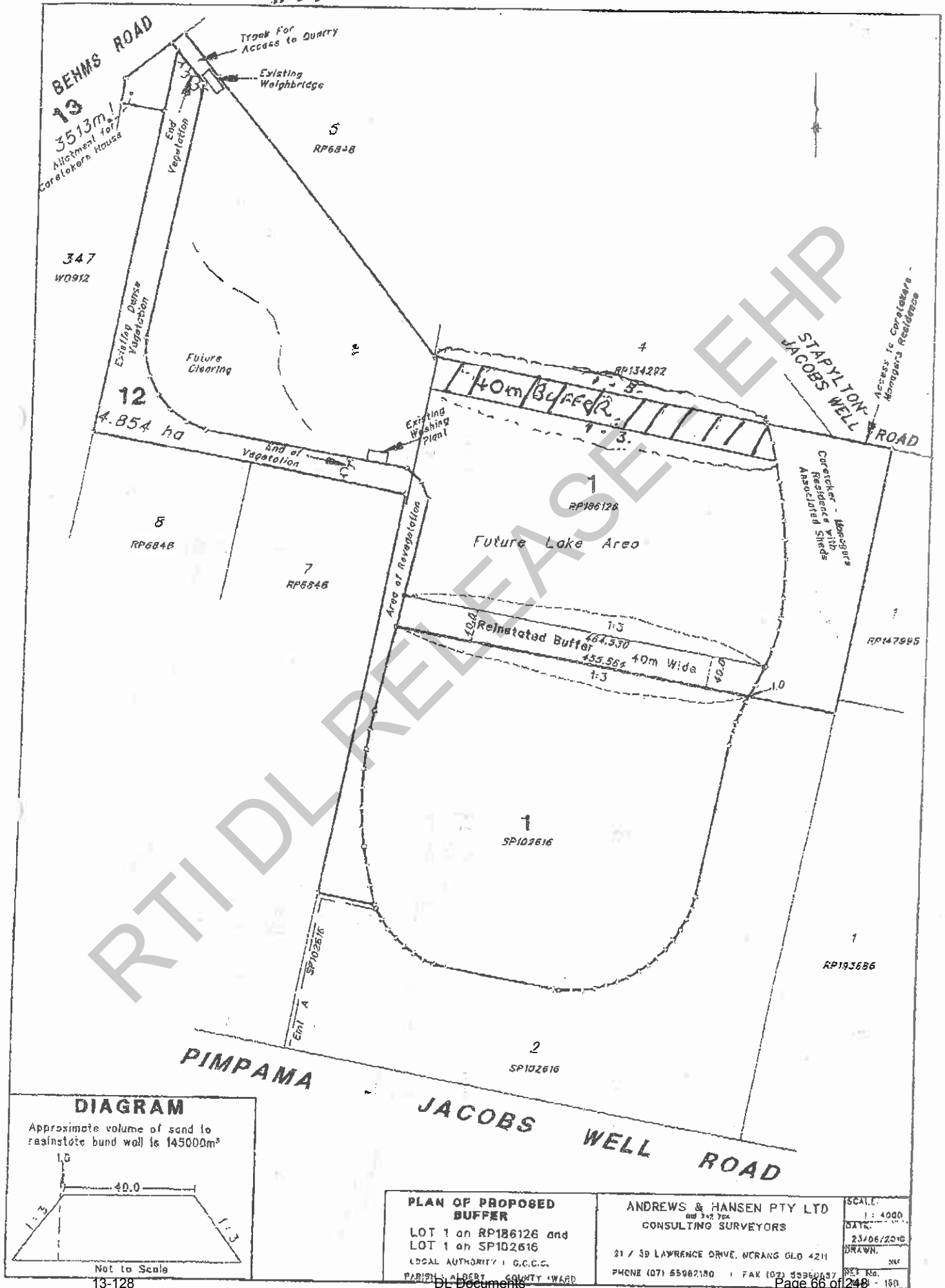
Thanking you

Ivan Laming

sch4 - Personal information

0755461644

ATT. ch. Aie.



RECEIVED TIME 19. DEC. 10:58

Enquiries Claire Spicer-Bell
Telephone (07) 5583 2137
Our reference 241591 / BST1885 vol. 7

RECEIVED / REGISTERED Dept of Environment and Heritage Protection Gold Coast	
17 DEC 2012	
File #:	202113227
Item #:	1948801



Department of
Environment and
Heritage Protection

14 December 2012

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well Qld 4208

Cc. Environmental Soil Solutions Aust Pty Ltd
PO Box 442
Sunnybank Qld 4109

Attention: Bevan Laming

Dear Mr Laming,

Response to Environmental Soil Solutions Australia Pty Ltd – Proactive Compliance Inspection CA35721 – 6 July 2012

Thank you for your response dated 3 October 2012 from Environmental Soil Solutions Australia Pty Ltd. The Department of Environment and Heritage Protection (the department) has reviewed your response and requests further information as detailed below.

Development Approval IPDE000383806B11

Condition A3-1 – Site based management plan

The department has reviewed the 'Wholesale Sands site based management plan' dated March 2007. On page 16 of the 'Wholesale Sands site based management plan' it states that *'the transfer of diesel from tanker to storage facility is infrequent and transfer from storage facility to mobile equipment takes place in a dedicated refuelling area. This area is sloped so that any spillages is runoff from the refuelling area and will be collected into a sump. The capacity of the sump is 1m³'*. During the recent site audit conducted at the premises no such sump was observed by environmental officers at the refuelling area. Please provide photographic evidence of the sloped refuelling area and the sump detailed in the site based management plan.

Condition A4-1 Location of activities

The response dated 3 October 2012 by Environmental Soil Solutions Australia Pty Ltd states 'Buffer walls response referred to Town Planner'. The department has not received a response from the Town Planner. Please note that a response to the Compliance Inspection Letter dated 10 August 2012 was due on **31 August 2012**. You are requested to provide an adequate response to this item by **2 January 2013**.

Condition C1-2 – Water

The response dated 3 October 2012 by Environmental Soil Solutions Australia Pty Ltd stated 'a relook at filtration of the samples may provide the answer'. The department considers this

response insufficient and requests that you provide further information regarding this item by **2 January 2013**.

Condition C1-5 – Pond conditions

The compliance inspection letter stated that the bund wall must be designed and constructed to ensure the pond's water is contained at all times and to ensure the long-term stability of the pond during normal weather conditions, as well as during emergencies. The response dated 3 October 2012 states 'in recent very high rainfall & weather events no bund wall failures recorded'. The department considers this response insufficient and requests further information regarding the material used to create the bund wall, details of the compaction of material, details of the slope batters and any further information to confirm the long term stability of the bund. An adequate response is due by **2 January 2013**.

Development approval SPCE01179810

Condition C1-2 Water

As discussed in the department's compliance inspection letter dated 10 August 2012, the groundwater monitoring results are non-compliant with the groundwater limits specified in development approval SPCE01179810. The response by Environmental Soil Solutions Australia Pty Ltd dated Oct 3, 12, states 'the likelihood of flow from D pond is low'. The department considers this response insufficient and requests that you provide further information supporting this statement by **2 January 2013**.

Development approval IPCE00615207

Schedule J – Plan of Development

The response dated 3 October 2012 states 'Referred to Town Planner'. The department has not received a response from the Town Planner. Please note that a response to the Compliance Inspection Letter dated 10 August 2012 was due on **31 August 2012**. You are requested to provide an adequate response to this item by **2 January 2013**.

Beneficial Use Approval ENBU01383110 (dated 7/7/2010)

Schedule A, Condition 6 – Approval limited to stated type of use

This approval is limited to the resource stated in conditions (1) and (2) **to acquire the sand and gravel within the drilling water as a resource to generate profit** and is subject to the conditions set out in this approval. The response by Environmental Soil Solutions Pty Ltd dated 3 October 2012 states 'Sch A Cond 8 – No reuse – these waters are mostly 'soily' waters'.

As stated in the departmental Proactive Compliance Letter dated 10 August 2012 if the drilling water is accepted at the site for any other purpose aside from the purpose stated in the BUA, you will need to apply for an amendment to your BUA and cease the acceptance of the waste until such time that an amendment is approved. Please provide a response regarding whether a BUA amendment application has been submitted to the department and provide information regarding whether you are currently complying with this condition. Where you are found to be accepting waste material on the site without the appropriate approvals, the department will take enforcement action.

Beneficial Use Approval ENBU01192410 (dated 7/7/2010)

Condition 4 and Condition 8

The concrete washout material must only be used for the purposes stated in the approval. The beneficial use approval permits the resource to be accepted into the dredge pond for the purposes of controlling pH of the dredge pond water. The approval does not allow for the material to be used to treat acid sulfate soils. Where you choose to receive concrete washout material for any other purpose, you are required to submit an application as outlined in the departmental letter dated 10 August 2012. Where you are found to be accepting waste material on the site without the appropriate approvals, the department may take enforcement action.

Report for Surface Water and Ground Water

The presentation of the water quality monitoring data provided to the department is unsuitable due to the merging of several monitoring results within each table cell. The department requests that the data is resubmitted such that the 'Analytical Data Collected' tables within the Monitoring Reports are presented in a layout that clearly outlines the date the samples are taken, the results of that sample and the DA limit attached to the table for comparison. If any non-compliance results are observed please include these results in **bold** font. These reports must be clear and concise. Below is an example of a water quality table which includes the requirements outlined above.

Date	Quality Characteristic	Units	Location A	Location B	Location C	Location D	DA Limit
20.6.2012	pH	-	7	7	7	7	6-8 (range)
	Turbidity	NTU	11	24	18	10	20 (max)
27.6.2012	pH	-	7	7	7	7	6-8 (range)
	Turbidity	NTU	11	24	18	10	20 (max)

General comments

The response to the department prepared by Environmental Soil Solutions Australia Pty Ltd is insufficient in addressing the information requested by the department. In the future the department may not accept these responses unless they are clear and adequately address the information requested by the department.

A full response to this letter is requested by **2 January 2013**. Where an adequate response is not received, the department may choose to take compliance action. Should you have any further enquiries, please do not hesitate to contact Miss Claire Spicer-Bell, Senior Environmental Officer, on telephone 07 5583 2137.

Yours sincerely

sch4 - Personal information

Brett Glosko
Manager
Gold Coast, South East Region
Regional Services, Environmental Services
Department of Environment and Heritage Protection

Complaint/Report Details

Complaint/Report Ref: CR56052

Priority/Sensitive: N

Complainant

Ref	Name	Address	Phone	Mobile	Fax	Email
695993	sch3(10)(1)(b) Confidential source of information					

Alleged Source

Ref	Name	Address	Phone	Mobile	Fax	Email
402014	Waragap Holdings Pty Ltd	1754 Jacobs Well Road JACOBS WELL QLD 4208	07 5546 1454	sch4 - Perso	07 5546 1644	

Incident Location

Name	Risk Level	Address
961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208		961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208

Type: Incident

Nature: Waste : Illegal Dumping

Received Date: 05/OCT/12

Receiving Officer: BEACH, Sara

Receiving Office: ES-RSD-SER-Gold Coast

Status: Finalised

Origin: Referral from Local Government

Notification Method: Email

Project Manager: SPICER-BELL, Claire

Responsible Office: ES-RSD-SER-Gold Coast

Description

Event On/From Date:

Event On/From Time:

Received Time:

Event To Date:

Event To Time:

Ongoing: N

Print Related Permits:

Description

The complainant says that there is a sand mine in the area. He says that the property put in a new slab driveway. He says that trucks are coming and going on the property and they are dumping waste on to the property and into the waterway in the area. Some of the truck companies that are coming to the property are, Patriot trucks and Elite and Sovereign Energy. He has video footage of the trucks dumping this waste. He says that it is very bad and that he will making complaints and contact to various media and government agencies about this issue and to give them the footage of what he has. He would like the officer to contact him about his complaint.

Running Sheet Summary

Accrued Time: 1 hrs 0 mins

First Action	Date Commenced	Due Date	Action Type	Officer Involved	Outcome	Date Completed
Y	05/OCT/12		Telephone Call	SPICER-BELL, Claire	Action Required - awaiting response	
	07/DEC/12		Other	SPICER-BELL, Claire	NFA	

Related Complaints/Reports

Ref	Complainant	Alleged Source	Incident Location	Received Date
CR53839	s78B(2) - Substantial harm	Waragap Holdings Pty Ltd	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208	09/MAR/12
CR53947	sch3(10)(1)(b) Confidential so	Waragap Holdings Pty Ltd	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208	19/MAR/12

Related Compliance Activity

Ref	Type	Information Entered	Client	Activity Location
CA21029	Not Applicable	22/JUN/10	Queensland Sand and Soil Pty Ltd	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208
CA24726	Environment	26/MAR/12	Waragap Holdings Pty Ltd	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208



Response EER, EHP Inspection, 0712

Environmental Soil Solutions Australia Pty Ltd

ACN: 090 697 331 ABN 61 829 722 881 Maddgik F/T Trading As Environmental Soil Solutions Australia
PO BOX 442 SUNNYBANK 4109 PH: (07) 33458238 FAX: (07) 33451390 MOB: 0403245560
E- e.s.s.a@bigpond.net.au

ATTENTION _ Mr. B Glosko, Manager

Response to EHP letter 10 August 2012

On Behalf of Mr. B Laming, Wholesale Sands, Jacobs Well

Point 1 – Re IPSE00383806B11

Information as I am advised is ERA 16 2 (C) will correct the Departments error but referred to Town Planner for advice as well (TBA).

Re ERA 16 3(b) Noted but as previously advised to DERM officers NO such screening has been or is proposed – ERA33 not required

Fees & MCU noted & to be referred to Town Planner for actions required

Condition A3-1 SBMP

Latest Version is March 2007 attached *not attached*

Condition A4-1

Buffer walls responses referred to Town Planner *no response*

Condition C1-2

All location provided for Monitoring are as per GPS co ordinates provided & per Plan attached to Monitoring report. Locations are those advised and inspected by DERM officers in the past.

Re Concentrations of Iron & Aluminium

These are associated with the weather & infiltration & runoff. The Fe & Al are attached to soil particles while the V high Iron is probably due to high concentrations of Iron Floc that sometimes occur. A Relook at filtration of the samples may provide the answer. *what was result*

New method of filtration of sampled locations will be used & expected to eliminate many of these results. Re EC within limits of detection so no exceedance but indicated the influences of the natural environment rather than the Dredge ponds.

Condition C1-5

no info on design or construction

Measurements by the staff of W Sands advice is Freeboard on eastern side the D Pond is lowest at >0.7m as of 3 Oct 2012. Other locations >>0.7m.

In recent very high rainfall & weather events no bund wall failures recorded.

Condition A3-1 SBMP – see above

Condition A4-1

No dredging has occurred by this operator outside defined area.

Condition C1-2

While fluctuations in measurements occur they are entirely weather related. ASS management is not issue via strategic reburial & the fines returned immediately to D pond in slurry – so oxidation likelihood very low.

Re Groundwater fluctuations is attributed to level fluctuations & the various natural inflows from surrounding 'soils'. The likelihood of flow from D pond is low. However GW 1 & GW 2 are more than likely impacted negatively by the surcharge surface loading from North End causing a "cone of depression" and hence the acid inflows from the surrounding ASS soils. The problems in this area would be eliminated if the adjoining site preload was controlled by EHP.

Condition B4

Noted Waragap uses Water Truck Constantly for Dust control

Condition E-1

Noted

Schedule J

Referred to Town Planner

BUA Drill Waters

Sch A Cond 2

All Noted see Freeboard responses earlier

Sch A Cond 8

No reuse – these waters are mostly 'soily' water

BUA for the purpose of re use.

Sch A Cond 7

Already supplied copy to DERM

Table 4

As per previous response – Current

BUA - Washout

Condition 4 Sect 8.3.3 also promotes use of Hydrated lime which has pH 12 or 13
The washout while pH is high its ENV is much lower due to nature of product Washout
with sand & gravel. It is safe & ideal for this purpose. In addition, small amounts are
used & small stockpiles kept & bunded near Dredge pond for any runoff to flow into
pond. This process is deemed safe and of no environmental issue if followed. If
amendment required this will be submitted – please advise if required.

*Check BVA
May be required*

P&LMU

Condition 8

Noted

Condition 9

Already supplied See Response application Page 8

check resource plan supplied

Condition 23

DP locations confirmed

BUA ENBU02025510

Condition 2

Noted however see above **BUA - Washout**

Condition 8

RUP already provided See Response application Page 8

Condition 12

Covered in Application & approval

Condition 27

Confirmed again

Condition 30

Noted

Condition 34 & 35

I think you mean pH 8. Recent data sent is 7.03 – 7.17 range

Breaches info read

Mergers

We await Draft Merger DA & BUA for review.

To prepare.

For & on behalf of W Sands (Waragap)

Response information accurate to authors' best knowledge

D E Baker BSc, October 3, 2012

Enquiries: Megan Davis
Telephone: (07) 5583 2146
Our reference: 241591 / BST 885 v 7



**Queensland
Government**

27 August 2012

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well QLD 4208

File No:

BST885
BST2012/1428

C1917181

28-Aug-2012



Dear Mr Laming,

RE: Request for Confirmation of Environmentally Relevant Activity Approvals

This letter is to confirm that Waragap Holdings Pty Ltd, situated on Behms Road, Jacobs Well (Lot 1 on RP193686, Lot 2 on SP102616, Lot 1 on RP186126, Lot 1 on SP102616 and Lot 6 on RP6848) currently hold the following Environmentally Relevant Activity (ERA) Development Approvals:

- Development Approval IPDE00383806B11 for ERA 16, 1(c) dredging, in a year, more than 100,000t to 1,000,000t of material; and ERA 16, 3(b) screening, in a year, more than 100,000t to 1,000,000t of material for Lot 6 on RP6848, Lot 1 on RP186126 and Lot 1 on SP102616;
- Development Approval SPCE01179810 for ERA 16, 1(c) dredging, in a year, 100,000t to 1,000,000t of material for Lot 1 on RP193686 and Lot 2 on SP102616; and
- Development Approval Number IPCE00615207 for ERA 16 3 (a) screening, in a year, 5000t to 100,000t of material for Lot 1 on RP193686 and Lot 2 on SP102616.

If you require any further information please contact Megan Davis on (07) 5583 2146.

Yours sincerely

sch4 - Personal information

Brett Glosko

Manager, Gold Coast
Environmental Services
Southern Region
Department of Environment and Heritage Protection

Level 1 APVC Building
14 Edgewater Court Robina 4230
PO Box 4244
Robina Town Centre QLD 4230
Telephone (07) 5583 2146
Facsimile (07) 5583 2136
Website www.dempp.qld.gov.au

File Note

File Reference: BST885 vol.7 / CA25721

Subject: Telephone call - official warning letter

Print and file when complete.

Date: 15 August 2012

File Name: BST885 - Waragap

Subject (Detail): Telephone conversation regarding warning letter issued 10 August 2012

On 15 August 2012 Bevan Laming contacted the department regarding the warning letter dated 10 August 2012. Bevan stated that the letter was received on 15 August 2012. He believed that some of the content of the letter was incorrect including:

- Fertiliser washing – this material did not go into the lake as was stated in the warning letter. This material was placed at the back of his residential property. Dennis Baker, Bevan's consultant, was doing tests on the material.
- Waste yeast – this material does not go into the lake and Bevan no longer receives the material on site. This material was placed at the back of his residential property.
- Chicken manure – Bevan was advised from his consultant that this did not trigger ERA53. Bevan will follow up with his consultant.
- CSB stated that all of this information should be addressed in a letter of response to the warning letter. Bevan will prepare this response in consultation with Dennis Baker.

In addition, Bevan questioned what was happening on the property next door in relation to receipt of material and the bunding around the perimeter of the site. CSB stated that a warning letter has also been issued to North End and that as of 12pm today the operator had not received the letter. CSB to follow up.

s78B(2) - Substantial harm

s78B(2) CSB to investigate.

sch4 - Personal information

15 /8 2012

(enter signed date or delete words)

Author: Claire Spicer-Bell
Position: Senior Environmental Officer
Unit/Office: Robina, Gold Coast
Phone: 5583 2137

Signature _____
Date _____
Select and complete as appropriate
Position: _____
Unit/Office: _____
Phone: _____

Enquiries: Megan Davis
Telephone: (07) 5583 2146
Our reference: 241591 / BST 885 v 7



10 August 2012

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well QLD 4208

File No:

BST885

BST2012/1319

C1916329

14-Aug-2012



Dear Mr Laming,

Re: Acceptance of Waste - Official Warning Letter

The Department of Environment and Heritage Protection (the department) recently undertook a compliance audit on 6 July 2012 at the premises of Waragap Holdings Pty Ltd, situated on Behms Road, Jacobs Well (Lot 1 on RP193686, Lot 2 on SP102616, Lot 1 on RP186126, Lot 1 on SP102616 and Lot 6 on RP6848).

During the audit, waste acceptance receipts were provided to officers of the department for the period of 8 June 2012 to 27 June 2012. A number of the waste acceptance receipts provided indicated that unauthorised waste has been accepted at the site. These wastes included fertiliser washings, low level contaminated slurry and waste yeast. A copy of the receipts in question is attached.

Fertiliser Washings

Receipt 6955 dated 12 June 2012 states that 19 380 litres of fertiliser washings was received at the premises, delivered by Patriot Tankers Pty Ltd. Departmental officers contacted Patriot Tankers Pty Ltd on 25 July 2012 who confirmed that the fertiliser washings were being transported from a fertiliser manufacturer to your site and were placed directly into the on-site lake / pond.

Fertiliser washings may be a regulated waste as per Schedule 1 of the *Environmental Protection Regulation 2008: 46 phosphorus compounds, other than mineral phosphates*.

Fertiliser washings may also be prescribed water contaminant as per Schedule 9 of the *Environmental Protection Regulation 2008*:

1: a chemical, or chemical waste containing a chemical

Examples—

- biocide, including herbicide, fungicide and pesticide
- chemical that causes biochemical or chemical oxygen demand
- chemical toxicant for which guidelines are prescribed in the document 'Australian and New Zealand guidelines for fresh and marine water quality'

12: industrial waste.

Level 1 APVC Building
14 Edgewater Court Robina 4230
PO Box 4244
Robina Town Centre QLD 4230
Telephone (07) 5583 2146
Facsimile (07) 5583 2136
Website www.demp.qld.gov.au
ABN 46 640 294 485

Low Level Contaminated Slurry

Receipt 6984 dated 20 June 2012 states that 1000 litres of low level contaminated slurry was received at your premises, delivered by Vac-U-Digga. Receipt 6985 dated 20 June 2012 states that 1000 litres of low level contaminated slurry was received at your premises, delivered by Vac-U-Digga.

Departmental officers contacted Vac-U-Digga on 25 July 2012 who confirmed that soil was delivered to the site on 20 June 2012.

Vac-U-Digga provided the results of soil testing as requested. The testing shows that levels of contaminants were compared to the DECCW (2008) Waste Classification Guidelines Part 1: Classifying Waste. The department has concerns that this is not an appropriate guideline for assessing whether the material will cause environmental impacts as the waste is being placed directly into surface waters on the site that are most likely connected with groundwater.

Clean earth is defined under the *Environmental Protection Regulation 2008* as

clean earth means earth that has trace elements and contaminant levels within the interim ecologically-based investigation levels for urban land use under the document 'Schedule B(1)—Guidelines on the Investigation of Soil and Groundwater', forming part of the National Environment Protection (Assessment of Site Contamination) Measure 1999.

Please note that this is for 'urban land use' and does not specify contaminant levels for waste to be placed directly into waters.

Low level contaminated slurry may also be prescribed water contaminant as per Schedule 9 of the *Environmental Protection Regulation 2008*:

6: ashes, clay, gravel, sediment, stones and similar organic or inorganic matter;

9: building, construction and demolition waste, including bitumen, brick, concrete cuttings, plaster and waste water generated by building, construction or demolition.

Waste Yeast

Receipt 6988 dated 21 June 2012 states that 22 000 litres of waste yeast was received at your premises, delivered by Austrans Haulage Pty Ltd.

Receipt 7000 dated 27 June 2012 that 23 000 litres of waste yeast was received at your premises, delivered by Austrans Haulage Pty Ltd.

Departmental officers contacted Austrans Haulage Pty Ltd on 25 July 2012 who confirmed that the source of the yeast was likely to be from a brewery.

Waste yeast may be a regulated waste as per Schedule 1 of the *Environmental Protection Regulation 2008*: 23 food processing waste.

Waste yeast may also be prescribed water contaminant as per Schedule 9 of the *Environmental Protection Regulation 2008*:

16: putrescible waste, including, for example, food scraps.

Chicken Manure

During the compliance inspection, Bevan Laming advised the departmental officers that chicken manure had previously been received on the site and was mixed with soil to be re-sold.

Accepting this type of waste may trigger ERA 53 – Composting and Soil Conditioner Manufacturing.

You are warned that the acceptance of ANY waste for disposal within the onsite pond is not permitted by your current development approvals and beneficial use agreements. You are reminded that the purpose of the BUA approvals are:

- ENBU02025510 for concrete washout material is to be used as a neutralising agent for acidic dredge pond waters for Lot 2 on SP102616 and Lot 1 on RP193686;
- ENBU01192410 for concrete washout material is to control the pH of the dredge pond waters for Lot 6 on RP6848, Lot 1 on SP102616 and Lot 1 on RP186126; and
- ENBU01383110 for construction/drilling waters from inline drilling is to acquire sand and gravel within the drilling water as a resource to generate profit for Lot 6 on RP6848, Lot 1 on SP102616 and Lot 1 on RP186126.

The acceptance of ANY wastes for alternative purposes other than those stated above is not permitted.

Accepting regulated waste for treatment on the site may trigger Environmentally Relevant Activity (ERA) 58 – Regulated Waste Treatment (see definition attached).

Accepting regulated waste for treatment on the site may trigger Environmentally Relevant Activity (ERA) 55 - Regulated waste recycling or reprocessing (see definition attached).

Accepting waste including regulated waste or general waste onto the site may trigger ERA 60 – Waste Disposal (see definition attached). General waste is any waste that is not regulated waste. Regulated wastes are listed in Schedule 1 of the *Environmental Protection Regulation 2008* (attached for your reference).

Operating an ERA without a registration certificate is an offence under section 427 of the *Environmental Protection Act 1994* which carries a maximum penalty of \$44 000.

Furthermore, it is currently unknown as to the degree of connectivity between the on-site pond and the region's surrounding groundwater. The internment of material, including contaminated spoil and wastes, may have an adverse impact on the region's groundwater chemistry and you are advised that depositing prescribed water contaminants in waters is an offence under section 442 of the *Environmental Protection Act 1994* which carries a maximum penalty of \$18,150.

This is an **official warning** issued by the Department of Environment and Heritage Protection (reference number CA25721). If you do not heed this warning, the department

may take enforcement action against Waragap Holdings Pty Ltd which may include issuing a fine, an enforcement order, or prosecution.

If you require any further information please contact Megan Davis on (07) 5583 2146.

Yours sincerely

sch4 - Personal information

Brett Glöske
Manager, Gold Coast
Environmental Services
Southern Region
Department of Environment and Heritage Protection

Attached: ERA definitions and Schedule 7, Regulated Wastes, excerpt from the Environmental Protection Regulation 2008

ERA Definitions

ER 55 – Regulated Waste Recycling or Reprocessing

(1) Regulated waste recycling or reprocessing (the relevant activity) consists of operating a facility for receiving, and recycling or reprocessing, regulated waste to produce saleable products.

ERA 58 – Regulated Waste Treatment

(1) Regulated waste treatment (the relevant activity) consists of operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.

ERA 60 – Waste disposal

- (1) Waste disposal (the relevant activity) consists of only 1 of the following—
- (a) operating a facility for disposing of—
 - (i) only regulated waste; or
 - (ii) regulated waste and any, or any combination, of the following—
 - (A) general waste;
 - (B) limited regulated waste;
 - (C) if the facility is in a scheduled area—no more than 5t of untreated clinical waste in a year;
 - (b) operating a facility for disposing of, in a year, 50t or more of waste consisting of—
 - (i) only general waste; or
 - (ii) general waste and either, or a combination, of the following—
 - (A) a quantity of limited regulated waste that is no more than 10% of the total amount of waste received at the facility in a year;
 - (B) if the facility is in a scheduled area—no more than 5t of untreated clinical waste.
- (2) The relevant activity does not include using clean earthen material as fill.

Schedule 7, Environmental Protection Regulation 2008

- 1 acidic solutions and acids in solid form
- 2 animal effluent and residues, including abattoir effluent and poultry and fish processing wastes
- 3 antimony and antimony compounds
- 4 arsenic and arsenic compounds
- 5 asbestos
- 6 barium compounds, other than barium sulfate
- 7 basic (alkaline) solutions and bases (alkalis) in solid form
- 8 beryllium and beryllium compounds
- 9 boron compounds
- 10 cadmium and cadmium compounds
- 11 chemical waste arising from a research and development or teaching activity, including new or unidentified material and material whose effects on human health or the environment are not known
- 12 chlorates
- 13 chromium compounds (hexavalent and trivalent)

- 14 clinical and related waste
- 15 containers contaminated with a regulated waste
- 16 copper compounds
- 17 cyanides (inorganic)
- 18 cyanides (organic)
- 19 encapsulated, chemically-fixed, solidified or polymerised wastes
- 20 ethers
- 21 filter cake, other than filter cake waste generated from the treatment of raw water for the supply of drinking water
- 22 fly ash
- 23 food processing waste
- 24 grease trap waste
- 25 halogenated organic solvents
- 26 highly odorous organic chemicals, including mercaptans and acrylates
- 27 inorganic fluorine compounds, other than calcium fluoride
- 28 inorganic sulfides
- 29 isocyanate compounds
- 30 lead and lead compounds including lead-acid batteries
- 31 material containing polychlorinated biphenyls (PCBs), polychlorinated naphthalenes (PCNs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs)
- 32 mercury and mercury compounds
- 33 metal carbonyls
- 34 mineral oils
- 35 nickel compounds
- 36 non-toxic salts including, for example, saline effluent
- 37 hydrocarbons and water mixtures or emulsions, including oil and water mixtures or emulsions
- 38 organic phosphorous compounds
- 39 organic solvents, other than halogenated solvents, including, for example, ethanol
- 40 organohalogen compounds, other than another substance stated in this schedule
- 41 oxidising agents
- 42 perchlorates
- 43 pesticides, including organochlorine
- 44 pharmaceuticals, drugs and medicines
- 45 phenols and phenol compounds, including chlorophenols
- 46 phosphorus compounds, other than mineral phosphates
- 47 polychlorinated dibenzo-furan (any congener)
- 48 polychlorinated dibenzo-p-dioxin (any congener)
- 49 reactive chemicals
- 50 reducing agents
- 51 residues from industrial waste treatment or disposal operations
- 52 selenium and selenium compounds
- 53 sewage sludge and residues, including nightsoil and septic tank sludge
- 54 surface active agents (surfactants) containing principally organic constituents, whether or not also containing metals and other inorganic materials
- 55 tallow
- 56 tannery wastes, including leather dust, ash, sludges and flours
- 57 tarry residues arising from refining, distillation or any pyrolytic treatment
- 58 tellurium and tellurium compounds

- 59 thallium and thallium compounds
60 triethylamine catalysts for setting foundry sands
61 tyres
62 vanadium compounds
63 vegetable oils
64 waste containing peroxides other than hydrogen peroxide
65 waste from a heat treatment or tempering operation that uses cyanides
66 waste from surface treatment of metals or plastics
67 waste from the manufacture, formulation or use of the following—
• biocides or phytopharmaceuticals
• inks, dyes, pigments, paints, lacquers or varnish
• organic solvents
• photographic chemicals or processing materials
• resins, latex, plasticisers, glues or other adhesives
• wood-preserving chemicals
68 waste from the manufacture or preparation of pharmaceutical products
69 waste of an explosive nature, other than an explosive within the meaning of the Explosives Act 1999
70 wool scouring wastes
71 zinc compounds

7002

Wholesale

Sands

Recycling

6988

Site Manager: 0408 528 272

Accounts: (07) 5546 1454

Fax: (07) 5546 1644

Email: wholesalesands@bigpond.com

Lic No: ENBU01383110

Whobs Well Q 4208

Origin: 6.12

Account: ☒

525 KGS

C.O.D.: ☐

m³: ☐

Litres: ☒

Material Description

Total

Wholesale

3.8 m 4983

Handwritten signature and date

Wholesale
 Recycling

7000

Site Manager: 0408 528 272

Accounts: (07) 5545 1454

Fax: (07) 5545 1644

Email: wholesale@bigpond.com

ENBU01383110

Jacobs Well Q 4208

Origin: Milton

Account: ☒

COB: ☐

kg: ☐

m³: ☐

Litres: ☐

Material Description

Total

WASTE yrest

100 14207

TOTAL \$

6955

Site Manager: 0408 528 272

Accounts: (07) 5546 1454

Fax: (07) 5546 1644

Email: wholesalesands@blgpond.com

ABN 46 010 893 651 Lic No: ENBU01383110
124 Behms Road, Jacobs Well Q 4208

Date: 12-6-12

Origin: *Pinkerton*

Customer:  2 47401

Account: ☒

Truck Rego: 223 Rm

C.O.D.: ☐Tonnage: m^3 Litres: ☒[illegible]

**Wholesale
Sands
Recycling**

6985

Site Manager: 0408 528 272

Accounts: (07) 5546 1454

Fax: (07) 5546 1644

Email: wholesalesands@bigpond.com

Origin:

Account: C.O.D.: ☐m³: Litres:

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6984

Accounts: (07) 5546 1454

Fax: (07) 5546 1644

Email: wholesalesands@bigpond.com

Origins:

Account: ☒C.O.D.: ☐m³: ☐Litres: ☒TOTAL 18

Enquiries: Megan Davis
Telephone: (07) 5583 2146
Our reference: 241591 / BST 885 v 7



**Queensland
Government**

10 August 2012

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well QLD 4208

Cc: Simone Croxon
Environmental Regulatory Practice
Department of Environment and Heritage
Protection
GPO Box 2454
BRISBANE QLD 4001

Dear Mr Laming,

Re: Proactive Compliance Inspection CA25721- 6 July 2012

I refer to the site inspection conducted at Waragap Holdings Pty Ltd, situated on Behms Road, Jacobs Well (Lot 1 on RP193686, Lot 2 on SP102616, Lot 1 on RP186126, Lot 1 on SP102616 and Lot 6 on RP6848) conducted by environmental officers Megan Davis and Claire Spicer-Bell of the Department of Environment and Heritage Protection (the department).

The site inspection was conducted in the presence of Mr Bevan Laming. The purpose of the inspection was to evaluate compliance with development approvals and beneficial use agreements listed below:

- Development approval number IPDE00383806B11;
- Beneficial use approval number ENBU01192410;
- Beneficial use approval number ENBU01383110;
- Development approval number SPCE01179810;
- Development approval number IPCE00615207; and
- Beneficial use approval ENBU02025510.

Thank you to you and your staff for providing your time and assistance during the site inspection.

The department has finalised the inspection and identified the following non-compliance matters or matters that require a response as outlined below.

Development Approval IPDE00383806B11 for ERA 16, 1(c) dredging, in a year, more than 100,000t to 1,000,000t of material; and ERA 16, 3(b) screening, in a year, more than 100,000t to 1,000,000t of material for Lot 6 on RP6848, Lot 1 on RP186126 and Lot 1 on SP102616

File No:

BST2012/1318

C1916328

14-Aug-2012

13-128



DL Documents

Level 1 APVC Building
14 Edgewater Court Robina 4230
PO Box 4244
Robina Town Centre QLD 4230
Telephone (07) 5583 2146
Facsimile (07) 5583 2136
Website www.dem.qld.gov.au
ABN 46 640 294 485

Rd

ERA 16, 1 (c) Dredging

This approval is for ERA 16, 1(c) dredging, in a year more than 100,000t to 1,000,000t of material. As you are not dredging the material from the bed of naturally occurring surface waters, the department believes that you currently trigger ERA 16, 2(c) extracting, other than by dredging, in a year 100,000t to 1,000,000t of material instead. This is likely to have been an administrative error when the definitions changed in 2008 under the *Environmental Protection Regulation 2008*. The department proposes to update the development approval and registration certificate from ERA 16 1 (c) to ERA 16 2 (c).

It is also noted that the annual fee for ERA 16, 1(c) is \$9715.20, and the annual fee for ERA 16, 2(c) is \$8611.20.

ERA 16, 3(b) Screening

It is noted that ERA 16, 3(b) refers to screening material that includes clay, gravel, loam, rock, sand and other substances found in the earth as per Schedule 2, Section 16 (4) of the *Environmental Protection Regulation 2008*. Screening material such as concrete washout is not included in this definition. Screening concrete washout would therefore trigger ERA 33 – Crushing, Milling, Grinding or Screening. You are advised not to conduct concrete washout screening until such time that the correct approvals have been granted for the site.

If Waragap Pty Ltd proposes to conduct concrete washout screening at the site, you are required to submit a Material Change of Use application for ERA 33 – Crushing, Milling, Grinding or Screening.

Condition (A3-1) – Site Based Management Plan

This condition requires that from commencement of the ERA, a Site Based Management Plan (SBMP) must be implemented and it must provide for the review and 'continual improvement' in the overall environmental performance of an ERA.

The department has a SBMP on file dated November 2003.

Please confirm:

- (a) whether this is the most updated SBMP;
- (b) whether it includes all activities operated by Waragap Pty Ltd; and
- (c) that it includes all sites that Waragap Pty Ltd currently operate on.

If the 2003 SBMP is the most updated, please undertake a review of that plan and ensure it reflects the current practices on the site.

Condition (A4-1) –Location of Activities

This condition states that dredging or extraction must not be undertaken within

- (a) 5 metres of the western common boundary of the site with Lot 5 on RP 6848; and
- (b) 10 metres of any other common boundary of the site with adjoining land.

The department is of the understanding that the boundary of Lot 1 on SP102616 no longer has a 10 metre buffer with the adjoining site. During the inspection Mr Laming advised

that he is planning on creating a buffer between Lot 1 on RP186126 and Lot 4 on RP134292 (operated by Eco Earth Resources Pty Ltd).

The department received an updated plan titled '*Plan of Proposed Buffer*', reference 7041-160, dated 23 June 2010 showing a 40 metre wide buffer with 1:3 slope on the bund walls. Whilst the department agrees to the proposed change, please provide further detail including the expected date when this bund will be installed, the height of the bund wall, and how the buffer will be revegetated, stabilised or otherwise managed.

Condition (C1-2) – Water

This condition states that water quality of the pond on the site must comply with the parameters prescribed by Schedule C, Table 1.

The most recent water quality monitoring data supplied to the department for the site indicates the following non-compliances;

Location	Date	Contaminant	Measured Concentration	DA Limit Concentration
GW2	24 March 2012	Total Iron	5480 µg/L	1000 µg/L
GW2	24 March 2012	Electrical conductivity	1850 µS/cm	1800 µS/cm
GW2	24 March 2012	Aluminium	240 µg/L	100 µg/L
GW3	24 March 2012	Aluminium	1130 µg/L	100 µg/L
GW4	24 March 2012	Aluminium	500 µg/L	100 µg/L

The report provided by Dennis Baker interpreting these results states that consideration should be given to offsite effects from groundwater quality from the adjacent properties and natural causes due to any groundwater flows and usually high rainfall and groundwater intake. Please provide further information on the regional groundwater, if known, including the direction of flow, historical monitoring results preferably graphed showing the linkage to rainfall, height of groundwater measured in the region, and any further information supporting the assertion that groundwater impacts are due to natural causes.

It appears that the groundwater and surface water testing locations have changed since the permit was issued. Please confirm that the locations described and the GPS coordinates provided in the March 2012 report are current and correct. Please advise whether you agree to the department updating your development approval to include these new locations.

Condition (C1-5) –Pond Conditions

This condition requires that a freeboard of not less than 0.5 metres is maintained at all times, except in emergencies.

During the inspection department officers noted that the eastern edge of the pond on Lot 2 on SP102616 appeared to have a freeboard of less than 0.5 metres. During the

inspection Mr Laming advised that he would create a higher bund wall in this area. Please note that the heightening of the site's bund walls, for the purpose of meeting this condition, must be appropriately designed and constructed to ensure that pond's water is contained at all times and to ensure the long-term stability of the pond during normal weather conditions, as well as during emergencies (i.e. during high rainfall events or flood events). The freeboard measurement of 0.5 meters applies to the height of the bund wall to the extent that the bund wall has been suitably designed and constructed to ensure pond stability, without risk of wall failure. Please confirm that these works have been designed and constructed to ensure the above requirements.

Development Approval SPCE01179810 for ERA 16, 1(c) dredging, in a year, 100,000t to 1,000,000t of material for Lot 1 on RP193686 and Lot 2 on SP102616

Development Approval SPCE01179810 approves ERA 16, 1(c) dredging, in a year more than 100,000t to 1,000,000t of material. As you are not dredging the material from the bed of naturally occurring surface waters, the department believes that you currently trigger ERA 16, 2 (c) extracting, other than by dredging, in a year 100,000t to 1,000,000t of material instead.

This is likely to have been an administrative error when the definitions changed in 2008 under the *Environmental Protection Regulation 2008*. The department proposes to update the development approval and registration certificate from ERA 16, 1(c) to ERA 16, 2(c). Please advise if you have any objections to this administrative change.

Condition (A3-1) – Site Based Management Plan

See above.

Condition (A4-1) – Location of Activities

This condition states that the extraction of rock or other material or dredging and any associated activity shall not occur outside the designated extraction or dredging areas as defined in Figure 1 of Schedule 1 hereof (see attached permit).

During the site inspection it was noted that the previous operator of the site had over-extracted the area and as such breached this condition. During the inspection Mr Laming advised that he intends to fill in the over-extracted area. Please provide further detail including a revised plan indicating any area's to be dredged and if dredging has been finalised within this area; the rehabilitation plans for this area, and the type of material to be used to fill the over-extracted area.

Condition (C1-2) – Water

This condition relates to the water quality contaminant limits of the groundwater at the site, as prescribed by Schedule C, Table 1.

The most recent water quality monitoring data supplied to the department for the site indicates the following non-compliances;

Location	Date	Contaminant	Measured Concentration	DA Limit Concentration (maximum)
GW1	23 March 2012	Total Iron	13,800 µg/L	1000 µg/L
GW2	23 March 2012	Total Iron	1790 µg/L	1000 µg/L
GW3	23 March 2012	Total Iron	3050 µg/L	1000 µg/L
GW1	23 March 2012	Aluminium	330 µg/L	100 µg/L
GW2	23 March 2012	Aluminium	220 µg/L	100 µg/L
GW3	23 March 2012	Aluminium	380 µg/L	100 µg/L
GW4	23 March 2012	Aluminium	1040 µg/L	100 µg/L

The department notes that the site appears to be subject to fluctuating groundwater pH, aluminium and iron contaminant levels which may be attributable to acid sulphate soil disturbance rainfall, tidal influence, groundwater level fluctuations in the area; and potentially groundwater interaction with the on-site pond. Whilst the external factors are outside of the control of the operator, the department wishes to determine whether the quality and characteristics of the on-site pond water has any impact on the surrounding groundwater contaminant levels. Please provide further information regarding the groundwater hydrology at the site and the extent of the interaction between groundwater and the on-site pond. Where it is determined that the pond water quality and characteristics have an impact on the surrounding groundwater quality, measures will need to be taken to ensure that contaminants are not released to groundwater. Where it is determined that the pond has no connectivity with the surrounding groundwater and therefore no adverse impact on the groundwater quality, the department may consider altering or removing the groundwater contaminant limits stated in the approval. Please present any water quality comparison data in graphical format.

Furthermore, it appears that the groundwater and surface water testing locations have also changed on this site since the permit was issued. Please confirm that the locations described and the GPS coordinates provided in the March 2012 report are correct. Please advise whether you agree with the department updating your development approval to include these updated locations.

Development Approval Number IPCE00615207 for ERA 16 3 (a) screening, in a year, 5000t to 100,000t of material for Lot 1 on RP193686 and Lot 2 on SP102616

Condition (B4)

This condition states that trafficable areas must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust or traffic generated dust to the atmosphere. Reasonable and practicable measures may include but are not limited to:

- (i) keeping surfaces clean;
- (ii) sealing with bitumen or other suitable material;
- (iii) using water sprays;

- (iv) adopting and adhering to speed limits; and
- (v) using dust suppressants and wind breaks.

The department notes that Waragap Pty Ltd have sealed both entry/exit points to the site and uses a water truck to suppress dust. During the inspection, it was a particularly windy day and the departmental offices noted that dust was coming off the site. On days such as this the use of a water truck (or other dust suppression measures) may be required to be utilised more frequently to ensure dust is suppressed. Mr Laming advised that he would use the water truck as regularly as required to ensure compliance with the condition.

Condition (E1) Release of Contaminants to Land

This condition requires that there must be no release of the likelihood of release of any contaminants to land that may cause environmental harm or contribute to contamination of the land. Please note that contaminants would include concrete washout as the pH of this substance is very high and may impact the soils on the site. Please ensure that concrete washout stockpiles are contained and bunded and any waters running off these stockpiles are directly back into the on-site lake.

Schedule J – Plan of Development

The Plan of Development contained within this approval appears to no longer reflect current on-site practices. Please submit a revised plan of development for the combined sites.

Beneficial Use Agreement ENBU01383110 for Lot 6 on RP6848, Lot 1 on SP120616 and Lot 1 on RP186126 for drilling waters to acquire the sand and gravel within the drilling water as a resource to generate profit.

Schedule A, Condition 2

This condition requires that the drilling water must only be received at the approved place in accordance with:

- (a) written consent from the resource producer;
- (b) when the Environmental Management Plan from the resource producer has been reviewed by a suitably qualified person and determine to be acceptable to be received at the place;
- (c) when compliance with condition 9(b) requiring a 0.5m freeboard around the boundary of the dredge pond is met; and
- (d) when the pH of the dredge pond is compliant with the water quality limits stipulated by Table 2 Water Quality Requirements of the dredge pond at three of the four sampling locations.

Please confirm that a freeboard of 0.5m is maintained around the boundary of the pond at present. If this freeboard is not achieved you are reminded that you are not permitted to accept drilling waters onto the site.

Schedule A, Condition 6

This condition states that the BUA approval is for construction/drilling water sourced from inline drilling and underground construction activities to acquire the sand and gravel within the drilling water as a resource to generate profit.

During the inspection departmental officers were advised that the drilling waters that are being accepted on the site are being placed directly into the on-site pond. Please confirm whether Waragap Pty Ltd uses the drilling waters to acquire the sand and gravel as a resource to sell and generate profit. If the drilling water is accepted at the site for any other purpose aside from that purpose stated in the BUA, you will need to apply for an amendment to your BUA and cease the acceptance of the waste for such use until such time that an amendment is approved.

Schedule A, Condition 7

This condition requires that the holder of the approval must implement the resource utilisation plan named "*Resource Utilisation Plan (Drilling and Construction Waters)*", Waragap (Wholesale Sands)", dated May 2010 prepared by ESSA.

Please provide a copy of this document to the department.

Table 4: Surface and Groundwater Monitoring locations

Please confirm that the surface and groundwater monitoring locations that are listed are correct and current. Otherwise, please provide details of the current locations that surface and groundwater monitoring is undertaken.

Beneficial Use Agreement ENBU01192410 for Lot 6 on RP6848, Lot 1 on RP186126 and Lot 1 on SP102616 for concrete washout to control the pH of the dredge pond waters.

Condition 4

This condition states that a maximum quantity of 175,000 litres of the resource is permitted to be accepted into the dredge pond located at the approved place on a daily basis.

During the inspection Mr Laming advised that the concrete washout is not liquid and some of the concrete washout was being used to treat acid sulphate soils instead of ag lime. The Queensland Acid Sulfate Soil Technical Manual, Soil Management Guidelines Version 3.8, Section 8.3.3 states that neutralising agents should be slightly alkaline with a low solubility and a pH ranging from 7 to 9. The department is of the understanding that the concrete washout received at the site is pH 12 and as such may not be appropriate to treat acid sulphate soils. As the current BUA does not allow for concrete washout to be used to treat acid sulphate soil, in order to continue using concrete washout to treat acid sulphate soils you are required to submit an application for a BUA to the department's Permit and Licence Management Unit who can be contacted on the details provided below.

Permit and Licence Management Unit
Telephone: 1300 130 372
Email: palm@ehp.qld.gov.au
Address: GPO Box 2454, Brisbane QLD 4001

Until such time that a BUA is approved for the treatment of acid sulphate soil, you are advised not to use concrete washout material for this purpose.

Condition 8

As stated in this condition, the concrete washout material is to be used to control the pH of dredge pond waters in accordance with the water quality limits of IPDE00383806B11 and is subject to the conditions of the BUA. Please note that the water quality criteria as per Table 2 for pH is 6 to 8 and if the pH of the surface waters triggers the limit of below 5.5 or above 7.5 the frequency of the monitoring for pH is to be conducted following each deposition of the resource into the dredge pond. Please contact the department if this occurs.

Condition 9

This condition requires that a Resource Utilisation Plan (RUP) must be implemented for the site. Please provide a copy of the RUP to the department.

Condition 23

The deposition of the resource into the dredge pond must be conducted at location DP1, DP2, DP3 as depicted in Figure 1 – Site Overview for each disposal event of the resource. Please confirm that the disposal locations are correct and relevant for the current practices occurring on site.

Beneficial Use Agreement ENBU02025510 for Lot 2 on SP102616 and Lot 1 on RP193686 for concrete washout material to use as a neutralising agent for acidic dredge pond waters.

Condition 2

This condition requires that concrete washout is to be used as a neutralising agent for acidic dredge pond waters only. As noted above if concrete washout material is to be used for other purposes a BUA is required for that specific purpose.

Condition 8

A Resource Utilisation Plan (RUP) must be implemented for the site. Please provide a copy of the RUP to the department.

Condition 12

This condition states that use of the resources must cease on the approved site if monitoring at all five surface water monitoring locations shows that the dredge pond waters are above pH 8. . Please provide information to the department regarding how the site will be managed to ensure that the on-site pond's pH levels are kept below a pH level

of 8. You are required to notify the department immediately if monitoring shows that the pH is 8 or above.

Condition 27

The deposition of the resource into the dredge pond must be conducted at location DP1 and/or DP2 as depicted in Figure 1 – Site Layout for each disposal event of the resource. Please confirm that the disposal sites are correct and relevant for the current practices occurring on site.

Condition 30

Please note that the water quality criteria as per Table 2 for pH is 6 to 8. Where the pH of the pond falls below 5.5 or above 7.5, the pH monitoring frequency must be conducted following each deposition of the resource into the dredge pond to ensure the pH is maintained within the pH range. Please contact the department if this occurs.

Condition 34 and Condition 35

Condition 34 states that use of the resources must cease on the approved site in the event that water quality monitoring detects a quality characteristic outside the water quality criteria in *Table 2: Water quality requirements of the dredge pond* or *Table 3: groundwater quality requirements*.

Condition 35 requires that once the water quality within the pond reaches and is maintained for four consecutive weeks at or above pH 6; then condition 34 is enacted (i.e. concrete washout material must NOT be placed into the dredge pond once a pH of 6 has been reached for four consecutive weeks). Based on the water quality monitoring results provided to the department, the pond pH is above a pH of 6 and therefore you are not permitted to place concrete washout material into the pond.

Please provide the most recent water quality monitoring results and advise whether Waragap Pty Ltd has placed or is currently placing concrete washout materials into the dredge pond.

Breach of Development Approval Condition

Under section 435 of the *Environmental Protection Act 1994*, it is an offence to contravene a development condition of a development approval. This is regarded as a serious offence, the maximum penalty for an individual being \$220,000.00 or two years imprisonment.

Breach of Beneficial Use Approval Condition

Under section 167 of the *Waste Reduction and Recycling Act 2011*, it is an offence to contravene a condition on a beneficial use approval. This is regarded as a serious offence, the maximum penalty for an individual being \$183,150.

Under section 171 of the *Waste Reduction and Recycling Act 2011*, the department can suspend or cancel a BUA if a condition imposed on the approval has not been complied with.

Merger of ERA approvals and BUA approvals

The department notes that as Waragap Pty Ltd has purchased the adjoining lots previously operated by Beejays Pty Ltd, there are now a large number of approvals across the site that may contain varying environmental management requirements. To improve consistency and ensure operation and enforcement is simplified, the department proposes to combine the relevant approvals.

Please advise if you agree to the department merging the ERA development approvals to generate a single development approval for the ERAs conducted at the site and two Beneficial Use Approvals – one for concrete washout the other for drilling waters. This will reduce the total number of approvals to three (one development approval and two BUA's) and reduce the ambiguity of the conditions across the sites. A draft development permit and draft BUAs will be provided to you for review, comment and agreement prior to this amendment.

In response to the identified non-compliance matters and conditions that require updating, please provide a written report to the department by **31 August 2012** outlining how these matters will be addressed and what measures will be implemented to bring them into compliance with the relevant legislation.

If you require any further information please contact Megan Davis, Senior Environmental Officer on (07) 5583 2146.

Yours sincerely

Sch4 - Personal information

Brett Glosko
Manager, Gold Coast
Environmental Services
Southern Region
Department of Environment and Heritage Protection

Compliance inspections toolkit

Checklist, on-site record & inspection report

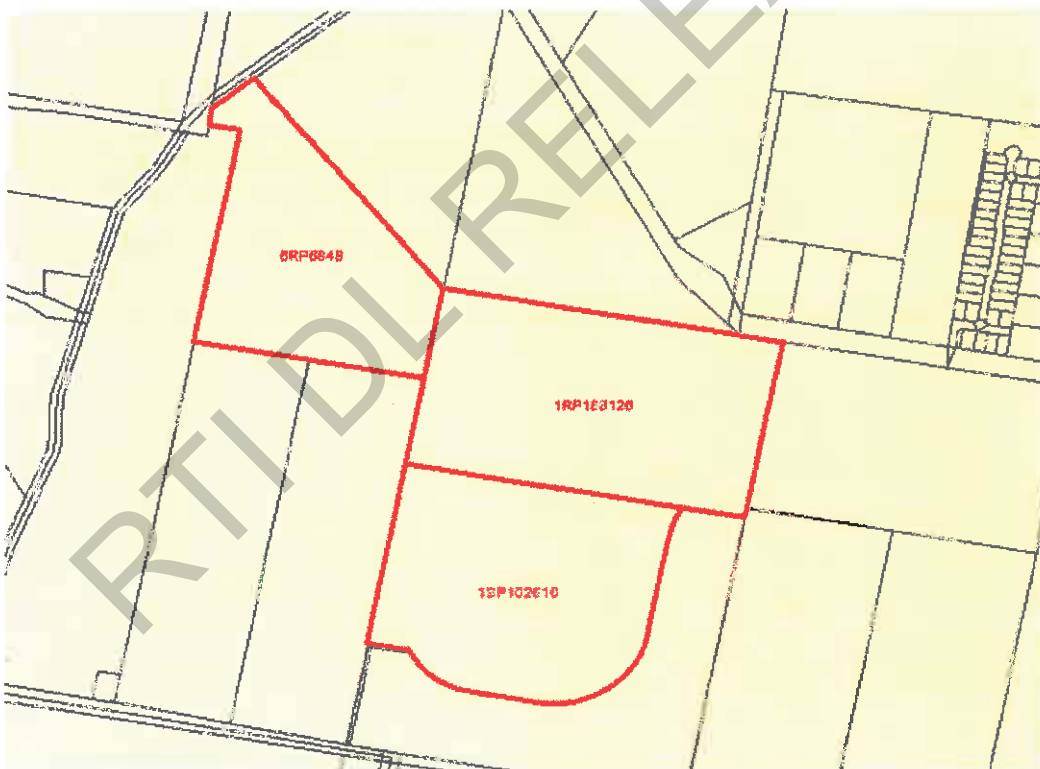
Part A. General Information

Company name: Waragap Pty Ltd		Date of inspection: 6 July 12	Time: 10am
Ecotrack: CA25721			
Trading as: Wholesale Sands – previously Beejays Investments 241591			
Description of business activity/ERAs: DA: SPCE01179810 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material. DA: IPCE00615207 – ERA 16 3 (a) screening, in a year, 5000t to 100 000t of material BUA: ENBU02025510 – concrete washout materials		Real property description (lot on plan): Lot 1 on RP193686 and Lot 2 on SP102616	
Street address: 961 Pimpama Jacobs Well Road, Jacobs Well		File number: BST855 v 6	
Site representative/s: Bevan Laming	Position/s: Owner/operator	Contact telephone: 5546 1454 <small>sch4 - Personal info</small>	
Department's representatives: Megan Davis, Claire Spicer-Bell			
Registered business address: Waragap Holdings Pty Ltd Suite 1, 86 Mount Eliza Way , Mount Eliza VIC 3930			
Inspection level (check box): Level A ☐ Level B ☐ Level C ☒			



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Company name: Waragap Pty Ltd	Date of inspection: 3 July 12	Time: 10am
Ecotrack: CA25721		
Trading as: Wholesale Sands		
Description of business activity/ERAs: DA: IPDE00383806B11 – ERA 16 1 (c) dredging, in a year, more than 100 00t to 1 000 000t of material ERA 16 3(b) – screening, in a year, more than 100 000t to 1 000 000t of material BUA: ENBU01192410 – concrete washout BUA: ENBU01383110 – construction/drilling waters		File number: BST 885 v 6
Street address: 961 Pimpama Jacobs Well Road, Jacobs Well		Real property description (lot on plan): Lot 1 on RP186126, Lot 1 on SP102616 and Lot 6 on RP6848
Inspection level (check box): Level A ☐ Level B ☐ Level C ☒		



Part B. Pre-inspection considerations

Environmental risk	Medium
Last inspection date	21 March 2012
General description of location and surrounding environment	<p>The site is located at Jacobs Well – a floodplain of the Logan/Albert River. The department has been verbally advised that the sand deposit is likely to have been washed down from the river and covered some time ago as it is not a saline sand.</p> <p>The area has naturally occurring high groundwater – which is why it is known as Jacobs Well – and it appears that this is naturally influenced by acid sulphate soils as the entire region has low pH groundwaters with high aluminium and iron levels, particularly after rainfall.</p> <p>The site is approximately 200m West from mangrove vegetation and Behms Creek is approximately 1km north of the site – see Figure 1.</p>
History of the activity	<p>On 8 May 2007 Mr Bevan Laming was issued a letter that constituted a second warning letter referring to Waragap Holding Pty Ltd's non compliance to monitoring, specifically condition C1.1 & C1.2.</p> <p>Several complaints have been lodged by s78B(2)</p> <p>s78B(2)</p> <p>s78B(2) These complaints have been lodged with respect to breaches in the bund walls, the receipt of illegal product, over extraction and the trafficking of sediment onto Behms Road. The department has investigated each of these complaints with records of these investigations saved on files BST 885.</p> <p>Gold Coast City Council is currently investigating compliance with the Court Order issued for the site. Discussions with GCCC on 3rd June 2011 have determined that Council has concerns with:</p> <ul style="list-style-type: none"> • the removal of vegetation from Lot 6 on RP6848; • the over extraction of the site from that approved by the Court Order ;and • the receipt of material on site for the filling of the lake to create a bund wall. <p>It was discussed with Zelda Matthews that it was agreed that a site survey would be conducted by Mr Laming. Zelda outlined that it is a requirement of the Court Order that site surveys are submitted every 6mths, which have not been compiled with. Zelda outlined that the Court Order requires a 30m buffer to the adjacent lots which differs from the DERM approval requiring a 5m and 10m buffer. It was discussed that this 30m buffer may be able to be regained through the filling process.</p> <p>JB outlined that the department has reviewed an ASSMP and geotechnical report lodged by Waragap for the reinstatement of an earthen bund between Lot 1 on RP186126 and Lot 1 on SP102616 given that Lot 1 on SP102616 was previously owned by Select Venue System who were requesting to remove the earthen buffer between Lot 1 on SP102616 and Lot 2 on SP102616. Whilst Waragap have purchased Lot 1 on SP102616, this land buffer is still required between the buffer between Lot 1 on RP186126 and Lot 1 on SP102616 can be removed. This is due to the size of the body of water which would be created if this buffer was removed and the water</p>

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	<p>quality management issues around managing such a large body of water.</p> <p>s78B(2) - Substantial Harm</p> <div style="background-color: #cccccc; height: 300px; width: 100%;"></div> <p>On 6 July 2012 Claire Spicer-Bell contacted Zelda Matthews of GCCC to advise that a site inspection was being conducted on 6 July 2012 and requested any issues that are required to be followed up during the inspection. Zelda advised the following:</p> <ul style="list-style-type: none"> • GCCC has told Wholesale Sands that they must apply for a MCU to fill the lake • GCCC is currently looking into prosecuting Wholesale Sands for the current breaches on site including the 30 metre buffer along the western boundary • GCCC will be gathering evidence together and are planning to access the site via a warrant.
Outstanding issues and/or non-compliances/enforcement	
Industry specific hazards – consider personal safety	
Engineering	
Waste	
Extractive	Possible large vehicles on site including semi-trailers and screening equipment
Personal protective equipment (PPE) – consider whether any PPE is required	
Safety helmet	Yes ☒ No ☐ possibly
Hearing protection	Yes ☐ No ☒

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Eye protection	Yes ☒ No ☐ possibly
Protective clothing	Yes ☒ No ☐
Protective footwear	Yes ☒ No ☐
Respiratory protection	Yes ☐ No ☒
Other	Yes ☐ No ☐ If yes, describe PPE:
Arrange safety induction training with occupier of site before any work is done	Yes ☒ No ☐ advised Bevan Laming of inspection via letter

Part C. Inspection plan including opening meeting checklist for Level B and C inspections

Topic	Details	Confirmed in opening meeting
Objectives and scope	<ul style="list-style-type: none"> Bunds between sites breached due to lack of freeboard being maintained and/or over-extraction beyond allowable limits. Possible breach of development approval/BUA conditions regarding freeboard, bunding requirements and water quality issues; Water quality breaches – pH and metals of both surface waters and ground waters, possible breach of DA/BUA conditions; Waste receipt on site – possible breach of DA/BUA conditions and possibly triggers Waste Tracking or Waste ERA requirements; Odour complaint investigation – possible breach of DA/BUA conditions; DA/Rego overlap as Wholesale Sands bought previous owners/operators on adjoining sites – possibility to amend DA's to reflect current operations on site; Acceptance of acid sulphate soils on the site for treatment and reuse or disposal – possible breach of DA/BUA conditions; Rehabilitation requirements investigate long term intent of the sites with operators, investigate Best Practice Management for sand extraction sites; 	Yes ☒ No ☐

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Agenda and timeframe	Meet at 10am 6 July 2012	Yes ☒ No ☐
Audit team - roles and responsibilities of team members	Claire Spicer-Bell – lead Megan Davis – record keeping and photographs	Yes ☒ No ☐
Methods and procedures to be used		Yes ☐ No ☐
Onsite staff accompanying audit/inspection team (names and positions)		Yes ☐ No ☐



Figure 1 – Site Location and Surrounds

Part D. Conditions for assessment - See attached DA's and BUA

As there are currently three DA's and four BUA's on the site with similar conditions, DA IPCE00615207 was reviewed and BUA ENBU01192410 was reviewed whilst on the site.

Part E. On-site observation – general items

1. Conditions IPDE00383806B11 / IPCE00615207			
Condition Number	Details/Comments	Photos taken Y/N	Satisfactory
A1	No comments provided – observed during inspection.		Y
A2	Display of DA – copy must be readily accessible. BL confirmed that approval was located in main office. CSB advised that it must also be on site. PD found DA in folder and showed officers.		Yes ☒ No ☐ TBA ☐ Not inspected ☐
A3 – A4	Records – BL confirmed that records are kept in the main office for 5 years.		Yes ☒ No ☐ TBA ☐ Not inspected ☐
A5	Competent operator – PD advised that he inspects the loads of receivers through the gate and questions drivers, he also undertakes water quality monitoring on site and records all data.		Yes ☒ No ☐ TBA ☐ Not inspected ☐
A6	No alterations were advised.		Yes ☒ No ☐
A7	Calibration - the weekly monitoring is undertaken by the site operator PD and the quarterly monitoring is undertaken by Dennis Baker. Both calibrate the monitoring equipment as required.		Yes ☒ No ☐ TBA ☐ Not inspected ☐
B1	Dust control – the site uses a water truck daily. See B4 for further information.		Yes ☒ No ☐ TBA ☐ Not inspected ☐
B2	No dust monitoring is undertaken at the site and no complaints have been received regarding dust.		Yes ☒ No ☐ TBA ☐ Not inspected ☐
B3	B3 – Stockpiles. No dust was observed coming from the stockpiles. BL advised that the stockpiles are not sprayed as the sand contains clay which binds the particles together.		Yes ☒ No ☐ TBA ☐ Not inspected ☐
B4	Trafficable Areas - Officers observed wind blow dust being blow off the site at the main gates and advised that the water truck may need to be used more than once daily during windy conditions. During the inspection the vehicle was observed watering the main gate area a second time. A cattle grid is installed at the main gate of both properties where vehicles enter and exit. The main gate area has been concreted.		Yes ☐ No ☒ TBA ☐ Not inspected ☐

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B5	Spillages – no spillages observed during inspection.	Yes ☒ No ☐ TBA ☐ Not inspected ☐
B6	Vehicles restricted to defined trafficable areas – observed.	Yes ☒ No ☐ TBA ☐ Not inspected ☐
B7 – B10	Vehicles are washed down after they are loaded and are covered before they leave the site.	Yes ☒ No ☐ TBA ☐ Not inspected ☐
B11	Material is kept in a most state. Observed during inspection.	Yes ☐ No ☐
C1 – C2	Water – waters are directed back into the dredge ponds. Waters from the dredged materials are limited – only a couple of hundred litres per day but these are directed back into the dredge pond (previously they weren't). BL mentioned that he was advised by Dennis Baker (his water consultant) that he had a release point off the site at the cane drain towards Pimpama-Jacobs Well Road.	Yes ☒ No ☐
D1	Stormwater management – waters run back into dredge pond. BL advised that waters are flowing off North End onto their site and flooded their weighbridge area during the last storm. It appears that the concrete washout stockpiles are building higher and potentially releasing alkaline waters.	Yes ☐ No ☐ TBA ☐ Not inspected ☐
D2 – D9	No erosion observed on site. All waters directed back into pond.	Yes ☒ No ☐
D10	Maintenance and Cleaning of Vehicles – vehicles are hosed down before they leave site. Previously they were being hosed into the small pond (1.1m depth to 1.6m depth) closest to the main weighbridge however the Dissolved Oxygen was below 6 (licence limit) due to the contaminants being washed from the vehicles. The vehicles are now being washed down into the main pond which is much larger and the contaminants do not impact on DO which is measured consistently between 7 – 9 mg/L.	Yes ☒ No ☐ TBA ☐ Not inspected ☐
D11 – D20	Spillages – all fuel is contained within a bunded area.	Yes ☒ No ☐
D21	Acid Sulphate Soils – ASS soils are received on the property and treated with concrete washout. No acid sulphate soils have been identified coming from this site. When ASS received the approvals are check to determine the ratio of liming required to treat the soils. Treated soils are then placed into the pond filling the area where sand was previously extracted.	Yes ☒ No ☐ TBA ☐ Not inspected ☐
E1	Contaminants to land. No releases of contaminants to land occur, the fuel is all contained within a bunded area on the site.	Yes ☒ No ☐

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F1	Noise emissions – no complaints have been received in relation to noise coming from the site. The nearest recipient is 600 – 700 metres away from the site. CSB verbally advised that the site should have a procedure in place to record complaints and will request this as part of the site based management plan.		Yes ☐ No ☐ TBA ☐ Not inspected ☐
G1	Waste must not be burnt. BL advised that he wasn't aware of that condition but was is not burnt at the site. The trees that were cut down were chipped and used for mulch.		Yes ☐ No ☐ TBA ☐ Not inspected ☐
G2 – G5	Off-site movement of waste. Regulated waste is not accepted on the site. All new company vehicles are checked when first entering the site to determine what their load contains. BL advised that some brewery waste had been accepted and coffee waste water and fertiliser but his consultant was applying for the approvals for the coffee water – he thought he didn't need an approval. BL states that the fertiliser was too strong for the grass so it is not accepted any longer. A copy of the invoices of materials were received by departmental officers during the inspection for the dates of 8 June 2012 to 27 June 2012 from the gate along Pimpama-Jacobs Well. Some of these invoices state that yeast materials and fertiliser washing are received on the site. One invoice states that 'low level contaminated slurry' is received. Further investigation will be undertaken on the vehicle registrations recorded on these receipts to determine what this material is.		Yes ☒ No ☐ TBA ☐ Not inspected ☐
H1	Complaint recording – complaints must be recorded in log book. BL advised that complaints are directed to the main office. No complaints had been received recently. Previously he received a complaint about the trees being knocked down but that had to be done to install a drain to ensure that dirty waters were directed back into the pond onsite.		Yes ☒ No ☐ TBA ☐ Not inspected ☐
H2 – H7	Noise monitoring – not applicable, no complaints received.		Yes ☒ No ☐
H8 – H13	Dust monitoring – not applicable, no complaints received.		Yes ☒ No ☐
H14 - 19	Notification of Emergencies and Incidents and Exception Reporting – operator advised that DEHP must be notified if results are not in compliance with the DA.		Yes ☒ No ☐ TBA ☐ Not inspected ☐

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1. Conditions IPDE00383806B11			
Condition Number	Details/Comments	Photos taken Y/N	Satisfactory
C5	<p>Freeboard of not less than 0.5 metres is maintained at all times except in emergencies.</p> <p>The site does not have a 0.5m freeboard as the waters are exceptionally high at the moment due to the amount of rainfall received. BL advised that he is not disposing of materials into the lake to ensure that the water remains at the current level and doesn't overtop. Bevan has concerns that the neighbouring sites waters are connecting with his pond and may be increasing the pH of his pond and potentially contaminating it with high aluminium. BL is proposing to install a 5m to 10m buffer on his northern boundary to ensure that waters from the neighbouring properties do not impact his site. During the inspection the eastern area of the lake was observed with no freeboard - the water was lapping the edge of the lake and there was a high possibility that if further rainfall was received the waters would break the bank and go onto the adjacent road. BL advised that he would increase the height of the bund wall at that area after the departmental officers pointed this out.</p>		
3. Conditions BUA ENBU01192410 / ENBU02025510			
Condition Number	Details/Comments	Photos	Satisfactory
	ENBU01192410 – used during inspection. BUA for concrete washout		
1	Only material from state of Queensland is received.		Yes ☒ No ☐
2 - 3	Consent must be provided by the resource producer. Consents were provided during inspection in 2011 therefore the department does not need to review these again. BL advised that Neumanns is the only company that provides concrete washout to the site.		Yes ☒ No ☐ TBA ☐ Not inspected ☐
4	Maximum quantity of 175,000L is permitted to be received on a daily basis. BL advised that concrete is not liquid therefore it is measures in tonnes. He confirmed that it does not meet that maximum amount on a daily basis.		Yes ☒ No ☐
5	Runoff from the storage of concrete washout is directed back to the ponds on-site.		Yes ☒ No ☐

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6	Contaminated water – can not be released. BL advised that water is not released from the site except from a cane field drain but that was approved.		Yes ☒ No ☐
7	Storage is undertaken at least 50m away from vegetation on western boundary.		Yes ☒ No ☐
8	Limited to concrete washout and must be used to control the pH of the dredge pond waters. BL advised that it is also used to treat acid sulphate soil on the site – see Figure 1. The treated soil was then directed back into the dredge pond as fill or on the banks of the pond to increase the size of the bank. CSB advised that this condition may need to be revised or further approvals may be triggered. The department will provide a further response in relation to this in the follow up letter.		Yes ☒ No ☐
9 - 12	A Resource Utilisation Plan must be implemented. BL advised that this was previously submitted to the department. File BST 885 volume 1 has an Environmental Management Plan dated November 2002 that refers to lots 1 on SP102616, Lot 1 on RP186126 and Lot 6 on RP6848. The plan includes a Plan of Extraction for the lots mentioned above only. The department will request an updated SBMP that includes a RUP and covers all lots that are now operated by Waragap Pty Ltd.		Yes ☒ No ☐
13	Reasonable and practicable measures must be undertaken.		Yes ☒ No ☐
14 - 15	Maintenance of measures, plant and equipment. It appeared that measures, plant and equipment were maintained during site inspection.		Yes ☒ No ☐
16	Equipment calibration – water monitoring undertaken daily and calibrated on-site. Calibrated and serviced regularly. Quarterly monitoring undertaken by professional – Dennis Baker.		Yes ☒ No ☐
17	Records of pH were provided during inspection.		Yes ☒ No ☐
18	No releases of waters in breach of DA IPDE00383806B11 observed.		Yes ☒ No ☐
19 - 23	Transport of resource – loads are covered, leakage prevented by washdown, roads are kept wet to reduce dust. No complaints received regarding dust recently.		Yes ☒ No ☐
24	Resource quality monitoring – records were observed and provided of materials received on the site, see above.		Yes ☒ No ☐
25 - 31	Daily monitoring of pH, DO and EC is undertaken, results observed during inspection. Quarterly monitoring of aluminium, total iron and ferrous iron is undertaken and groundwater is monitored quarterly.		Yes ☒ No ☐
32 - 38	Nuisance – no complaints received recently.		Yes ☒ No ☐
39 - 40	Notification of emergencies, incidents and exceptions. Advised		Yes ☒ No ☐

	to contact the department of all emergencies, incidents and exceptions.		
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Figure 1 – Pad used for mixing concrete washout and ASS looking South East



Figure 2 – Pad used for mixing concrete washout and ASS looking East



Figure 3 – Pad used for mixing concrete washout and ASS looking South



Figure 4 –ASS material on mixing pad

Part F. Closing meeting

Discuss preliminary findings, non-compliances, observations, further items to be provided, timing and any other matters (list names of all persons present).

CSB advised that the department would follow up with a letter post the inspection.

s.73

s.73

BL was told that the site was substantially in compliance with the conditions of the DA's and BUA's, however, the acceptance of waste materials on the site needed to be investigated and further approvals may be required. BL advised that his consultant had undertaken testing on the wastes and believed that approvals were not required.

Part G. Inspection results summary

1. Overall findings

General observation/s

The dredging and screening of materials is undertaken in accordance with the development approvals that are currently on the site with some minor exceptions – for example – maintaining a freeboard of 0.5m. Two sites have been amalgamated which means that there are three DA's and four BUA's on the site with varying conditions. It is recommended that the approvals over the sites be updated with consent from the operator to ensure that the conditions are clear and can be enforced. In addition the correct ERA triggers should be used as dredging (ERA 16 1 c) is being used instead of extracting (ERA 16 2 c). The follow up letter will include this information.

Whilst the site continues to accept concrete washout, it is generally being used to treat acid sulphate soil rather than being used to treat the low pH of the dredge pond waters. There are some materials that are being accepted onto the site that the operator does not have approval to receive. These include yeast materials, fertiliser washout and 'low level contaminated slurry'. Further investigation will be undertaken into where these materials are coming from and what is contained within them.

The sites surface waters are being influenced by the neighbouring property which is creating a business risk for the site and potentially an environmental risk of contaminated waters being released. The operator

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	has suggested that he install a wider buffer along his northern boundary that meets the neighbouring property to ensure that surface waters are not received onto his site. The department agreed that the theory seemed practicable and advised the operator to apply to the department in writing.
Compliance level	☒ Environmental nuisance/minor non-compliance ☐ Actual or risk of material harm/repeat non-compliance ☐ Actual or risk of serious harm ☐ Compliant ☐ Fully compliant/best practice
Environmental risk	☐ (1) Very low ☐ (2) Low ☒ (3) Moderate ☐ (4) High ☐ (5) Very high

2. Client action/s required Non-Compliances

Condition number & requirement legislation reference	Observations	Recommended action (Officers should document the evidence supporting the recommendation)	Client agreement
58 Regulated waste treatment (1) Regulated waste treatment (the <i>relevant activity</i>) consists of operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.	Regulated waste that has been disposed of into the dredge pond includes: <ul style="list-style-type: none"> Waste yeast. This is listed as regulated waste 23 food processing waste under Schedule 1 of the <i>EP Regulation 2008</i>. Fertiliser washings. This is listed as regulated waste 46 phosphorus compounds, other than mineral 	Send warning letter advising that acceptance of materials on site other than concrete washout and drilling water is not permitted. Accepting regulated waste to be treated by dilution in the on-site pond water may trigger the approval process for Regulated Waste Treatment (ERA 58).	Yes ☐ No ☐ TBD ☒

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	<p>phosphates under Schedule 1 of the <i>EP Regulation 2008</i>.</p> <ul style="list-style-type: none"> Low level contaminated material – unknown. 		
<p>440ZG Depositing prescribed water contaminants in waters and related matters</p> <p>A person must not—</p> <p>(a) unlawfully deposit a prescribed water contaminant—</p> <p>(i) in waters; or</p> <p>(ii) in a roadside gutter or stormwater drainage; or</p> <p>(iii) at another place, and in a way, so that the contaminant could reasonably be expected to wash, blow, fall or otherwise move into waters, a roadside gutter or stormwater drainage; or</p> <p><i>Example of a place for subparagraph (iii)—</i></p> <p>a building site where soil may be washed into an adjacent roadside gutter</p> <p>(b) unlawfully release stormwater run-off into waters, a roadside gutter or stormwater drainage that results in the build-up of earth in waters, a roadside gutter or stormwater drainage.</p> <p>Maximum penalty—</p> <p>(a) if the deposit or release is done wilfully—835 penalty units; or</p> <p>(b) otherwise—300 penalty units.</p> <p><i>Note—</i></p> <p>See section 493A (When environmental harm or related acts are unlawful).</p> <p>waters means Queensland waters.</p>	<p>The deposition of waste onto the waters of the site may also results in a breach of section 440ZG as the site waters are connected with the elevated groundwater in the area.</p>	<p>Include in warning letter warning that accepting the prescribed contaminants listed below may result in a breach of section 440ZG of the EP Act and subsequently the department may take regulatory action, either in the form of a Penalty Infringement Notice (PIN) or a prosecution.</p>	<p>Yes ☐ No ☐</p> <p>TBD ☐</p>

<p>Schedule 9 Prescribed water contaminants</p> <p>3 a liquid containing suspended or dissolved solids</p> <p>7 a substance that has a pH outside the range 6.5 to 8.5</p> <p>9 building, construction and demolition waste, including bitumen, brick, concrete cuttings, plaster and waste water generated by building, construction or demolition</p> <p>12 industrial waste</p> <p>16 putrescible waste, including, for example, food scraps</p> <p>Appendix 1 of the State Interest Planning Policy for Queensland Waters defines Queensland waters as: <i>the bed and banks of waters and groundwater, in Queensland</i></p>			
---	--	--	--

3. The Department's actions recommended

Part H. Natural justice

☒ The person has been provided with the opportunity to put their side of the story forward.

The department will send a letter advising that the acceptance of wastes is not acceptable and may trigger the requirement for further approvals.

☐ List any information and/or defences provided.

☐ The Department has considered the information or defences provided.

☐ The decision-maker and environmental officer are free from bias or the perception of bias.

Inspection toolkit
Checklist, on-site record & inspection report

Part I. Ecotrack

Ecotrack case number	CA25721
----------------------	---------

Activity	Time (hours)	Comments
Planning	8	There are a number of approvals over the site since Warangap Pty Ltd took over Beejays Pty Ltd, it is quite complicated and needs to be streamlined.
Inspection	4	
Reporting	16	
Total	28	

Part J. Approval

Environmental officer	Supervisor
<div style="border: 1px solid black; background-color: #cccccc; padding: 5px; width: fit-content;">sch4 - Personal information</div>	<div style="border: 1px solid black; background-color: #cccccc; padding: 5px; width: fit-content;">sch4 - Personal information</div>
Name: Megan Davis	Name: Zoe Helyer
Date: 10/8/12	Date: 10/8/12

Delegated decision-maker	Approve/reject recommendation (circle one)
Reasons for decision I approve this recommendation based upon the information set out above.	
Name: Brett Glosko	
Date:	

- (f) analysing monitoring data against objectives and standards including, for example, by predictive modelling;
- (g) reporting the results of monitoring in a stated form and timeframe;
- (h) reporting on the time and way in which the release is made to the receiving environment.

Part 3

Additional regulatory requirements for particular environmental management decisions

54 Application of pt 3

If an environmental management decision relates to an activity mentioned in a provision in this part, the administering authority making the decision must comply with the provision in addition to part 2.

55 Release of water or waste to land

- (1) This section applies to the administering authority for making an environmental management decision relating to an activity that involves, or may involve, the release of water or waste to land (the *relevant land*).
- (2) The administering authority must consider the following matters—
 - (a) the topography, including the flooding potential of the relevant land;
 - (b) the climatic conditions affecting the relevant land;

- (c) the available land on which the water or waste can be released;
- (d) the storage of the water or waste in wet weather;

Example—

storage of water or waste in ponds or tanks

- (e) the way in which the water or waste will be released to the relevant land;
 - (f) the need to protect soil and plants on the relevant land from damage;
 - (g) the potential for infiltration of the water or waste to groundwater;
 - (h) the potential for generation of aerosols or odours from the water or waste;
 - (i) the impact of any transfer or run-off of contaminants from the relevant land to surface waters;
 - (j) the ongoing availability of the land for the release of the water or waste.
- (3) The administering authority must also consider whether to impose conditions about each of the following matters—
- (a) developing and implementing a land release management plan for the relevant area that protects the environmental values affected, or that may be affected, by the activity;
 - (b) the way in which, or rate at which, the water or waste may be released;
 - (c) releasing the water or waste in a way that minimises infiltration to groundwater;
 - (d) if the water or waste is to be transferred to another entity—the circumstances under which the transfer may occur;

- (e) releasing the water to a bio-retention system, including, for example, a constructed wetland, for the removal of nutrients from the water.

(4) In this section—

land release management plan, for the relevant area, means a plan that achieves the following outcomes for the area—

- (a) the efficient application of water or waste using best practice methods;
- (b) control of sodicity in the soil;
- (c) minimal degradation of soil structure;
- (d) control of the build-up, from water, waste or other sources, of nutrients and contaminants in the soil and subsoil;
- (e) prevention of subterranean flows of contaminants to waters;
- (f) prevention of impact of infiltration on groundwater resources;
- (g) prevention of run-off by controlling the rate of application of water or waste, and by using structures, including, for example, tailwater dams;
- (h) prevention of surface ponding;
- (i) prevention of spraydrift or overspray from the relevant area;
- (j) prevention of damage to native vegetation;
- (k) reporting the results of monitoring, and an assessment of the impact on the groundwater in the relevant area of the release of the water or waste.

56 Release of water, other than stormwater, to surface water

- (1) This section applies to the administering authority for making an environmental management decision relating to an activity

that involves, or may involve, the release of water, other than stormwater, to surface water.

- (2) The administering authority must consider each of the following matters—
 - (a) any available toxicity data relevant to the release and the receiving environment;
 - (b) if there is an initial mixing zone—
 - (i) whether there is any practicable alternative that would reduce or eliminate the initial mixing zone; and
 - (ii) whether the size of the initial mixing zone is likely to adversely affect an environmental value or the ecological condition of the receiving environment, including, for example, a watercourse or wetland; and
 - (iii) whether concentrations of contaminants in the initial mixing zone are acutely toxic to the biota;
 - (c) if coal seam gas water may be released to surface water—
 - (i) whether the velocity, volume, rate and timing of the release of the coal seam gas water is compatible with the natural flow regime of the surface water; and
 - (ii) a prediction, based on available data or relevant hydrological modelling, of the nature and scale of the impact on the natural flow regime of the surface water; and
 - (iii) the extent of the impact of the coal seam gas water on the biological integrity of the surface water.
- (3) The administering authority must also consider whether to impose conditions about the following matters—

- (a) releasing the water to tidal waters only during particular tidal conditions, including, for example, phases of the tide;
- (b) releasing the water to non-tidal waters only if the rate of flow of the surface water is greater than a particular level;
- (c) if coal seam gas water may be released to surface water—
 - (i) minimising the interruption of the recessional stage of the surface water that does not flow continuously; and
 - (ii) requiring the applicant to monitor the flow and biological integrity of the surface water and give the administering authority reports about the monitoring.
- (4) In this section—

recessional stage, of surface water, means the stage in the flow regime of the surface water when it recedes but before the water has little or no flow.

57 Release of stormwater

- (1) This section applies to the administering authority for making an environmental management decision relating to an activity that involves, or may involve, the release of stormwater to the receiving environment.
- (2) The administering authority must consider the following matters—
 - (a) the topography of, and climatic conditions affecting, the receiving environment;
 - (b) if the activity involves exposing or disturbing soil—the soil type, its characteristics and the way it is managed;

- (c) if the activity involves the storage of materials or wastes that are exposed to rainfall or stormwater run-off—the characteristics and containment of the material or waste;
- (3) The administering authority must also consider whether to impose conditions about the following matters—
 - (a) diverting upstream stormwater run-off away from the area contaminated or disturbed by the activity (the *affected area*);
 - (b) minimising the size of the affected area;
 - (c) covering, paving, roofing and cleaning the affected area;
 - (d) cleaning the affected area without using water;
 - (e) analysing and managing soil;
 - (f) installing and maintaining appropriate control measures;

Examples of control measures—

bio-retention system, buffers for improving waste water quality, first flush stormwater diversion systems, oil separators, rubbish traps, sediment fences, sediment traps

- (g) treating the affected area.

Examples—

mulching, revegetating, using surface covers or soil agglomerants

58 Release of water or waste to wetlands for treatment

- (1) This section applies to the administering authority for making an environmental management decision relating to an activity that involves, or may involve, the release of water or waste to a wetland for treatment.
- (2) The administering authority must refuse to grant the application if the authority considers that, because of the activity—
 - (a) the wetland will be destroyed or reduced in size; or

- (b) the biological integrity of the wetland may not be maintained.

59 Activity involving berthing, docking or mooring a boat

- (1) This section applies to the administering authority for making an environmental management decision relating to an activity that involves, or may involve, berthing, docking or mooring a boat.
- (2) The administering authority must consider the following matters—
 - (a) the availability of facilities for collecting and disposing of wastes generated from the boat;
 - (b) whether to impose a condition to provide facilities for collecting and disposing of wastes generated from the boat.

Examples of waste generated from a boat—

bilge waste, garbage, sewage

60 Activity involving storing or moving bulk material

- (1) This section applies to the administering authority for making an environmental management decision relating to an activity that involves, or may involve, storing or moving bulk material.

Examples of bulk material—

alumina, cement, coal, grain, metaliferous ores, quarried materials, woodchips

- (2) The administering authority must consider each of the following matters—
 - (a) the chemical and physical characteristics of the material;
 - (b) the way in which the material is, or is to be, contained during each stage of the storage or movement of the material;

s.73

Approval of Resource for Beneficial Use Permits

No.	Project Ref	Project Name	Permit Ref	Permit Type	Permit Status	Site Name	Tenure Type	Tenure No.	Lot	Plan	Latitude	Longitude	Principal Holder	Permit Group	Complaint Reports	Compliance Activities
1	241156	Jerrima Pty Ltd ERA 20 (b) 22 (b) 19 (c) 28	ENBU03374711	Approval of resource for beneficial use	Assessment	995 Pimpama Jacobs Well Road, JACOBS WELL			1	RP193686			B J Investment Qld Pty Ltd	Environmental Operation	View Complaint Reports	View Compliance Activities
2	241616	QSS BUA	ENBU02025510	Approval of resource for beneficial use	Current	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208			1	RP193686			Queensland Sand and Soil Pty Ltd	Environmental Operation	View Complaint Reports	View Compliance Activities

Cadastral

No.	Lot Number	Plan Number	Lot and Plan Number	Street No.	Street Suffix	Street No. 2	Street Suffix 2	Street Name	Street Type	Street Part	Loc Name	Area in sq metres	Tenure	Parish	County	LGA	Feature Name	Locality
1	1	RP193686	1RP193686	995				PIMPAMA JACOBS WELL	RD		JACOBS WELL	141734.029	FH	ALBERT	WARD	GOLD COAST CITY		JACOBS WELL

Queensland

No.	Feature
1	Queensland Mainland

No Features Found in the following layer(s):

- Major Towns
- Other States

SPCE 011 79 810

eco maps

25/06/2012

Queensland Environmental Protection Agency

ecomaps Screen Plot

Page 1 of 2



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Page 1 of 2

- ☐ Cadastral Selection ☐ Other States
☒ Grouped Cadastral
☐ Queensland

ecomaps Layers

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Running Sheet Summary

Compliance Activity Ref: CA25721

Client						
Ref	Name	Address	Phone	Mobile	Fax	Email
402014	Waragap Holdings Pty Ltd	1754 Jacobs Well Road JACOBS WELL QLD 4208	07 5546 1454	sch4 - Perso	07 5546 1644	

Activity Location		
Name	Risk Level	Address
Behms Road JACOBS WELL	2 Low	Behms Road JACOBS WELL QLD 4208

Source Ref: CA25721

Action Source Ref:

Date Commenced: 06/JUL/12

Officer Involved: DAVIS, Megan

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Site Inspection - Level C

Inspection Type: Proactive - Initial

Enforcement Measure Type:

Referral To:

Action: Compliance inspection undertaken by Claire Spicer-Bell and Megan Davis to determine compliance with 2 DA's and 4 BUA's on the site. Invoices of waste materials including fertiliser washing, waste yeast and 'low level contamination slurry' recieved during inspection.

Time Spent Hours:

Time Spent Minutes:

Outcome: Action Required - further investigation

Outcome Description:

Due Date:

Date Completed: 06/JUL/12

RTI/DL RELEASE - EHP

Davis Megan

From: Sharni Stott [s.stott@vacudigga.com.au]
Sent: Friday, 27 July 2012 12:54 PM
To: Davis Megan
Subject: Wholesale Sands Disposal 20/6
Attachments: VacGroupWCLetter_Tyalgum_June2012.pdf

Hi Megan,

As discussed and requested, please find attached supporting documentation for the soil analysis that was conducted and analysed prior to the disposal at Wholesale Sands on 20/6/12. The material was classified to be below the residential and general classification guidelines.

Kind regards,

Sharni Stott

Business Development Manager

Phone: 1300 822 834 | F: 07 3807 5599 | M: [sch4 - Personal info]
Address: Level 1, 11 Main St, Beenleigh Qld 4207
Mail: PO Box 528, Ormeau Qld 4208
Web: www.vacudigga.com.au
Bookings: book@vacudigga.com.au or 1300 822 834
Video Link: <http://vmbiz.com.au/vacgroup.html>

Brisbane Gold Coast Gladstone Sydney Adelaide



The Vac Group Management Systems are registered to ISO 9001, ISO 14001 & AS1801





EAL Consulting Services

Our Ref: EAL12018.001

Your Ref: Cnr Tyalgum Rd and Brays Creek Rd, Tyalgum

18th June 2012

TO: Vac-U-Digga Pty Ltd
PO Box 528
ORMEAU QLD 4208

ATT: Sharni Stott

RE: Waste Classification for soil excavated from poles 15683 and 15684

EAL Consulting have sampled from approximately 1m³ of in-situ soil from each of two poles in accordance with the DECC (2008) Waste Classification Guidelines Part 1: Classifying Waste.

Please find enclosed Waste Characterisation analysis results (Lab Job No. C0449) in accordance with Step 5; Part 1: Classifying Waste (DECC 2008) indicating that the solid waste is below both General/Restricted waste, and also below general residential guidelines.

The soil is not considered to be contaminated with any of the target analytes, therefore we consider the soil is suitable for use on site for backfilling.

Please find the laboratory certificate attached.

sch4 - Personal information

Troy Shepherd
Environmental Scientist
EAL Consulting Services



EAL Consulting Service
Southern Cross University
Military Road
EAST LISMORE 2480 NSW
T: (61-2) 6620 3678
W: www.scu.edu.au/eal



RESULTS OF SOIL ANALYSIS

2 soil samples collected by EAL Consulting on the 13th June, 2012 - Lab Job No. CD449

Analysis requested by VecGroup. Your Job: EAL12018.001 - Car Tyalgum Rd and Brays Creek Rd, Tyalgum - WC pole 15683 and 15684

(EAL Consulting, Southern Cross University, Military Rd, East Lismore, NSW, 2460)

ANALYTE	METHOD REFERENCE	Sample 1	Sample 2	Waste Classification Guidelines	
		Pole 15683	Pole 15684	General Solid Waste	Restricted Solid Waste
	Job No	BC0449/1	BC0449/2	see Note 1	
MOISTURE %	c	22	25		
SILVER (mg/Kg DW)	a	< 1	< 1	100	400
ARSENIC (mg/Kg DW)	a	3	56	100	400
LEAD (mg/Kg DW)	a	42	13	100	400
CADMIUM (mg/Kg DW)	a	< 1	< 1	20	80
CHROMIUM (mg/Kg DW)	a	64	61	100	400
COPPER (mg/Kg DW)	a	18	26		
MANGANESE (mg/Kg DW)	a	303	229		
NICKEL (mg/Kg DW)	a	17	11	40	160
SELENIUM (mg/Kg DW)	a	< 1	1	20	80
ZINC (mg/Kg DW)	a	43	57		
MERCURY (mg/Kg DW)	a	0.15	0.15	4	16
IRON (% DW)	a	5.23	5.38		
ALUMINIUM (% DW)	a	3.03	2.86		
PESTICIDE ANALYSIS SCREEN					
4, 4 DDT (mg/Kg)	c	< 0.1	< 0.1		
Methoxychlor (mg/Kg)	c	< 0.1	< 0.1		
Other Organochlorine Pesticides (mg/Kg)	c	< 0.1	< 0.1	250	1000
HYDROCARBON ANALYSIS RESULTS					
Total Recoverable Hydrocarbons	c				
C10-C14 Fraction (mg/Kg)	c	< 50	< 50		
C15-C28 Fraction (mg/Kg)	c	< 100	< 100		
C29-C38 Fraction (mg/Kg)	c	< 100	< 100		
Sum of C10-C38 (mg/Kg)	c	not detected	not detected	10000	40000

METHODS REFERENCE

- ¹²Nitric/HO digest - APHA 3120 ICPMs
- ¹²Nitric/HO digest - APHA 3120 ICPOES
- Analysis sub-contracted - Report No. 74699

NOTES

- Table 1: Contaminant threshold values (CT1 and CT2) for classifying waste by chemical assessment without the leaching TCLP test in DECCW (2008) Waste Classification Guidelines Part 1: Classifying Waste
 - See supporting data in note 1 of guidelines for full list of analytes specified.
- DW = Dry Weight
na = no guidelines available



Schedule B (1)
Guideline on the Investigation Levels
for Soil and Groundwater

NEPC



National Environment Protection
(Assessment of Site Contamination)
Measure 1999



When a site assessment indicates soil contaminants are present at concentrations above HILs or EILs, for a proposed or current use, then a site-specific risk assessment may be conducted to address relevant human health and ecological concerns. The level to which such assessments are conducted will depend on site-specific conditions. In cases of minor exceedance of investigation levels or exceedances related to contaminants which have low human toxicity and limited mobility, a qualitative risk assessment may be sufficient. The risk assessment process may lead to the development of site-specific response levels generated by risk assessment and agreed in consultation between the professionals assessing the site and the regulatory authorities.

In addition, appropriate investigation and/or response levels need to be developed when:

- investigation values are not available for contaminants of concern and/or data are not available to enable the derivation of guideline values;
- site conditions, receptors and/or exposure pathways differ significantly from those assumed in the derivations of HILs or EILs; and
- there are significant ecological concerns (eg. critical or sensitive habitat, threatened or endangered species, parklands and nature reserves).

Where soil concentrations exceed the site-specific response levels, responses may range from informing landowners and users about the nature of contamination and applying appropriate site management plans, to large scale remediation. The nature of the response must be determined on a site-specific basis.

HILs will apply across Australia. A site-specific health risk assessment should be conducted according to the framework on Health Risk Assessment, Schedule B(4), when Health-based Investigation Levels are exceeded for the current or intended land use.

When developed, REILs will take into account region-specific factors. The EILs presented in Table 5-A may be used as generic values at a national level. However, when applying the generic EIL or any REIL to a specific site, it should be critically reviewed to ensure relevant ecological values are protected. Where jurisdictions have established REILs, those levels would take precedence. Where REILs/EILs are exceeded, a site-specific investigation should be undertaken based on the ecological values and biota relevant to that site and to take account of the physico-chemical form and mobility potential of the contaminant on the site.

Any site assessment must include consideration of both HILs and EILs relevant to the site.

0755461644

Waragap Holdings Pty Ltd

T/as

WHOLESALE SANDS

ABN 46 010 893 651

1754 Jacobs Well Road

Jacobs Well QLD 4208

Phone: (07) 5546 1454

Fax (07) 5546 1644

Site Address: 124 Behms Road, Jacobs Well

email: wholesalesands@bigpond.com

18th July 2012

Attention: M/s Claire Spicer-Bell

Fax: (07) 5583 2136

As per my recent telephone conversation, please find following a diagram for the proposed new buffer zone for my property at Lot 1 RP 186 126 Jacobs Well.

Any queries please do not hesitate to call me on sch4 - Personal infor

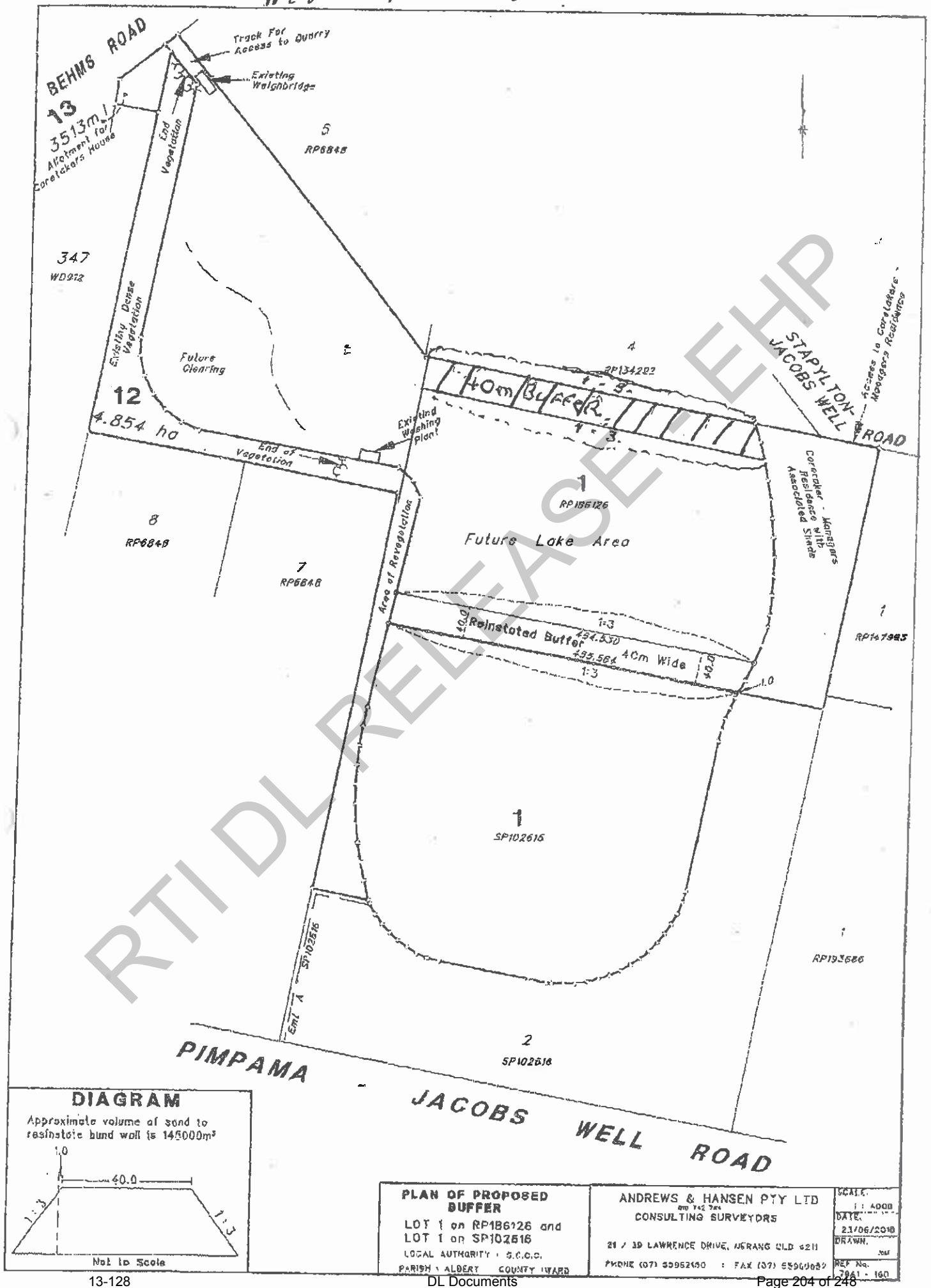
Thanking you

Bevan Laming

Encl

0755461644

ATT. ch. side..



13-128

RECEIVED TIME 18. JUL. 10:31

DL Documents

Page 204 of 248

Subject: Waste Acceptance Investigation

Date: 25 July 2012

Subject (Detail): Waste Acceptance at Waragap Pty Ltd operating as Queensland Sand and Soil

The Department of Environment and Heritage Protection (the department) undertook a compliance audit on 6 July 2012 at the premises of Waragap Holdings Pty Ltd, situated on Behms Road, Jacobs Well (Lot 1 on RP193686, Lot 2 on SP102616, Lot 1 on RP186126, Lot 1 on SP102616 and Lot 6 on RP6848).

During the audit, waste acceptance receipts were provided to officers of the department for the period of 8 June 2012 to 27 June 2012. A copy of the receipts in question is attached. A number of the waste acceptance receipts provided indicated waste is accepted at the site that is not authorised. These wastes included fertiliser washings, low level contaminated slurry and waste yeast.

Fertiliser Washings

Receipt 6955 dated 12 June 2012 (attached) states that 19 380 litres of fertiliser washings was received at Waragap Pty Ltd premises, delivered by Patriot Tankers Pty Ltd. Megan Davis contacted Patriot Tankers Pty Ltd on 25 July 2012 via telephone and spoke with Dave Bald who confirmed that the fertiliser washings were being transported from a fertiliser manufacturer named 'Impact Fertiliser'. The water was wastewater from a washdown pit that was predominately water and some residual fertiliser. This waste water is transported directly to Waragap Pty Ltd (operating at Qld Sand and Soil) and were placed directly into the on-site lake.

Fertiliser washings may be a regulated waste as per Schedule 1 of the *Environmental Protection Regulation 2008*: 46 phosphorus compounds, other than mineral phosphates.

Fertiliser washing may also be prescribed water contaminant as per Schedule 9 of the *Environmental Protection Regulation 2008*: 12 industrial waste.

Low Level Contaminated Slurry

Receipt 6984 dated 20 June 2012 states that 1000 litres of low level contaminated slurry was received at your premises, delivered by Vac-U-Digga. Receipt 6985 dated 20 June 2012 states that 1000 litres of low level contaminated slurry was received at your premises, delivered by Vac-U-Digga.

Megan Davis contacted Vac-U-Digga on 25 July 2012. Sharni Stott, Business Development Manager returned my call on 27 July 2012 advising that testing had been undertaken on the soil and results would be forwarded via email. Vac-U-Digga confirmed that soil was delivered to Queensland Sand and Soil on 20 June 2012.

Vac-U-Digga provided the results of soil testing as requested via email on 27 July 2012. The testing shows that levels of contaminants were compared to the DECCW (2008) Waste Classification Guidelines Part 1: Classifying Waste. The department has concerns that this is not an appropriate guideline for assessing whether the material will cause environmental impacts as the waste is being placed directly into surface waters on the site that are connected with groundwater.

Clean earth is defined under the *Environmental Protection Regulation 2008* as

clean earth means earth that has trace elements and contaminant levels within the interim ecologically-based investigation levels for urban land use under the document 'Schedule B(1)—Guidelines on the Investigation of Soil and Groundwater', forming part of the National Environment Protection (Assessment of Site Contamination) Measure 1999.

Please note that this is for 'urban land use' and does not specify contaminant levels for waste to be placed directly into waters.

Low level contaminated slurry may also be a prescribed water contaminant as per Schedule 9 of the *Environmental Protection Regulation 2008*:

6 ashes, clay, gravel, sediment, stones and similar organic or inorganic matter

9 building, construction and demolition waste, including bitumen, brick, concrete cuttings, plaster and waste water generated by building, construction or demolition.

Waste Yeast

Receipt 6988 dated 21 June 2012 states that 22 000 litres of waste yeast was received at your premises, delivered by Austrans Haulage Pty Ltd.

Receipt 7000 dated 27 June 2012 that 23 000 litres of waste yeast was received at your premises, delivered by Austrans Haulage Pty Ltd.

Megan Davis contacted Austrans Haulage Pty Ltd on 25 July 2012 via telephone and left a message for the Operations Manager Paul to call back. Paul Magher telephoned the department on 27 July 2012 confirming that yeast material was delivered to Queensland Sand and Soil and that the source of the yeast was Castle Gate Jame who used were a stock feed producer. They received the waste yeast from the XXXX brewery who advised that it is not a regulated waste. Recently a sample of the material had been provided to Bevans chemist. Austrans were also interested in taking liquid which had previously been taken to a composter – Sustainable Organics. MD advised that at the moment Queensland Sand and Soil did not have the approvals to accept this type of material.

Waste yeast may be a regulated waste as per Schedule 1 of the *Environmental Protection Regulation 2008*: 23 food processing waste.

Waste yeast may also be prescribed water contaminant as per Schedule 9 of the *Environmental Protection Regulation 2008*:

16: putrescible waste, including, for example, food scraps.

Sch4 - Personal information

Signature

Date

6/8/12

Reviewed by: Megan Davis
Position: Senior Environmental Officer
Unit/Office: Environmental Services Gold Coast
Phone: 5583 2146

Enquiries: Megan Davis
Telephone: (07) 5583 2146
Our reference: 241591 / BST 885 v 6



Queensland
Government

27 July 2012

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well QLD 4208

File No: **BST 885 v 6**

BST2012/1190

C1915399

27-Jul-2012



Dear Mr Laming,

RE: Request for Confirmation of Beneficial Use Approvals

This letter is to confirm that Waragap Holdings Pty Ltd, situated on Behms Road, Jacobs Well (Lot 1 on RP193686, Lot 2 on SP102616, Lot 1 on RP186126, Lot 1 on SP102616 and Lot 6 on RP6848) currently hold the following Beneficial Use Approvals (BUA):

- ENBU02025510 for concrete washout material to be used as a neutralising agent for acidic dredge pond waters for Lot 2 on SP102616 and Lot 1 on RP193686;
- ENBU01192410 for concrete washout material to control the pH of the dredge pond waters for Lot 6 on RP6848, Lot 1 on SP102616 and Lot 1 on RP186126; and
- ENBU01383110 for construction/drilling waters from inline drilling to acquire sand and gravel within the drilling water as a resource to generate profit for Lot 6 on RP6848, Lot 1 on SP102616 and Lot 1 on RP186126.

An approval of a resource for beneficial use (otherwise known as a Beneficial Use Approval) is given where it is considered that a waste has a beneficial use. Queensland's Waste Reduction and Recycling Strategy 2010-2020 strives for higher resource recovery and recycling rates and aims to transform the perception of waste from being seen as 'waste' to being valued as a 'resource'.

A waste can be approved as a resource if the department considers that it has a beneficial use other than disposal. If a waste is approved as a resource, it is no longer considered a waste under s. 13 of *Environmental Protection Act 1994*. In approving a waste, conditions under which the resource is to be used are imposed on the approval holder.

If you require any further information please contact Megan Davis on (07) 5583 2146.

Level 1 APVC Building
14 Edgewater Court Robina 4230
PO Box 4244
Robina Town Centre QLD 4230
Telephone (07) 5583 2146
Facsimile (07) 5583 2136
Website www.derm.qld.gov.au
ABN 46 649 264 485

Yours sincerely

sch4 - Personal information

Brett Glosko
Manager, Gold Coast
Environmental Services
Southern Region
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

Davis Megan

From: Davis Megan
Sent: Monday, 30 July 2012 1:57 PM
To: 'jenny@lamingracing.com.au'; 'wholesalesands@bigpond.com'
Cc: Glosko Brett; Spicer-Bell Claire; Helyer Zoe
Subject: BUA Confirmation letter
Attachments: confirmation of beneficial use approvals.pdf

Good Afternoon Bevan,

As requested, please find letter attached confirming the BUA's held by Waragap Pty Ltd.

Should you have any queries please don't hesitate to contact me on 5583 2146.

Regards,

Megan Davis
Senior Environmental Officer
Environmental Services & Regulation
Department of Environment & Heritage Protection
Level 1, 14 Edgewater Court, Robina Qld 4226
Telephone 07 5583 2146
Email megan.davis@ehp.qld.gov.au
Website www.ehp.qld.gov.au

RTI/DL RELEASE - EHP

Enquiries: Megan Davis
Telephone: (07) 5583 2146
Our reference: 241591 / BST 885 v 6



**Queensland
Government**

27 July 2012

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well QLD 4208

Dear Mr Laming,

RE: Request for Confirmation of Beneficial Use Approvals

This letter is to confirm that Waragap Holdings Pty Ltd, situated on Behms Road, Jacobs Well (Lot 1 on RP193686, Lot 2 on SP102616, Lot 1 on RP186126, Lot 1 on SP102616 and Lot 6 on RP6848) currently hold the following Beneficial Use Approvals (BUA):

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- ENBU01383110 for construction/drilling waters from inline drilling to acquire sand and gravel within the drilling water as a resource to generate profit for Lot 6 on RP6848, Lot 1 on SP102616 and Lot 1 on RP186126.

An approval of a resource for beneficial use (otherwise known as a Beneficial Use Approval) is given where it is considered that a waste has a beneficial use. Queensland's Waste Reduction and Recycling Strategy 2010-2020 strives for higher resource recovery and recycling rates and aims to transform the perception of waste from being seen as 'waste' to being valued as a 'resource'.

A waste can be approved as a resource if the department considers that it has a beneficial use other than disposal. If a waste is approved as a resource, it is no longer considered a waste under s. 13 of *Environmental Protection Act 1994*. In approving a waste, conditions under which the resource is to be used are imposed on the approval holder.

If you require any further information please contact Megan Davis on (07) 5583 2146.

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ABN 48 048 294 488

Yours sincerely

sch4 - Persona

Brett Glosko
Manager, Gold Coast
Environmental Services
Southern Region
Department of Environment and Heritage Protection

RTI/DL RELEASE - EHP

SITE INSPECTION HAZARD CHECKLIST

This checklist has been devised to help officers plan and conduct an initial hazard identification and perimeter inspection.

Known history of site:

Site name:

Narangaap Pty Ltd

Address:

961 Pimpard Jacobs well Road, JACOBS WELL

Contact person:

Berian Laming

Telephone:

s78B(2)

Site use:

(For industrial sites)

Engineering

Light manufacturing

Food processing

Waste

Chemical production

Health/medical

Other

(For rural sites)

Farming

Mining

Quarrying

Other

- extraction + screening

Personal protective equipment required:

Protective clothing

Protective footwear (safety boots / gumboots)

Respiratory protection

Safety Helmet

Wide brimmed hat

Rain coat / cold weather jacket

Gloves (chemical / work gloves)

High vis vest

Hearing protection

Eye protection

Waste bag

Drinking water

Hand cleaner

Sunscreen/insect repellent

Other:

Training for site-specific hazards: Authorised officer to arrange safety induction training with occupier of site before any work is done.

Hazards to look for on perimeter inspection:

Hazardous means of access or exit

Ground: Uneven/Slippery/soft/unstable/holes/drops

Water hazards: ponds, dams pools of liquid on the ground

Flash flood hazards:

creek beds/stormwater pipes (consider weather)

Structures:

Hazardous means of access or exit

Platforms/stairs/walkways (unstable and poorly maintained / slippery)

Obstacles without guards or barriers from ground level to head height

No warning signs, tags or placards visible on fences, buildings, vehicles, containers, tanks, baths or machines

Biological hazards:

Insects, snakes, guard dogs, ticks bio-wastes

Evidence of dead fish / vegetation / animals / algae

Aggressive or violent people (Is police help needed?)

Do you have required vaccination?

Hazardous substances:

Dust, spray or vapour evident in ambient air

Unusual or unpleasant odours

Presence of gas generation or effervescence from pipes/containers or ground surface

Pesticides, asbestos,

Leaking, damaged or bulging drums

Discoloured liquids, vapour clouds, oil slicks or other unknown substances on the ground or in any nearby watercourse

Indications of explosive atmosphere: dust or hydrocarbon type odours (eg. 'rotten egg gas')

Machinery:

Use of heavy plant and equipment (eg. earth moving machinery, forklifts and trucks)

Overhead gantries, cranes and hoists

Steam outlets/hot pipes/condensate vents

Air / water / steam hoses

Electrical cables/overhead/ on-ground, Electric fences

Housekeeping, unstable storage of materials (eg. pallets/timber/bricks)

Comments:

large pond.

possibly on screening equipment.

Environmental Services South East Region

Low Risk Trip Checklist

Warragoo High Ltd. & Geo Earth Resources
6 July 2012

Evaluate trip risk level using Activity Risk-based Requirement Matrix

Risk	Environmental Conditions	Communication	Availability of Assistance	Trip Planning & Considerations
Extreme	Risk not acceptable. No activity to be conducted			
High	Generally roads and tracks are rare or non-existent. Support infrastructure is not accessible	Communication systems generally not available or very poor	Support and assistance would be not be available - possibly overnight or longer	Risk Assessment & Documentation, Communication, Transport, Equipment, Skills/Capabilities, Emergency Plan, Hazards
Medium	Generally roads or tracks are limited. Support infrastructure is difficult to reach	Communications systems may be patchy and unreliable	Support or assistance would not be readily available	
Low	Generally roads and tracks are available and well defined. Support infrastructure is readily accessible	Communications systems are highly operable.	Access to support or assistance would be readily available	

Checklist

- ☐ Arrange for a colleague to accompany you to the site inspection.
- ☐ All vehicles are equipped with mobile phone, first aid kit and satellite phone (if necessary). Officers are responsible for ensuring that these are in good working order.
- ☐ Ensure all members of the team have Reviewer/Editor access to each other's Outlook Calendar.
- ☐ Officer to complete the following information in Outlook Calendar: date, time, client/accommodation details (name, address and contact number) and reason – even if they are going out immediately.
- ☐ Check directions to the site, print map or bring NavMan if required.
- ☐ Arrange to bring camera, Personal Protective Equipment Kit bag, Authorised Officer ID and notebook.
- ☐ Establish expected time of return to the office and inform Manager/Team Leader of agreed check in times.
- ☐ Verbally advise other team members left in the office of site inspection and area you are going.
- ☐ If site inspection/meeting is taking longer than expected, phone office to advise of new return time.
- ☐ If the office has NOT heard from the Officer 15 minutes after the return time then the Manager/Team Leader rings the Officer.
- ☐ If Officer is still unreachable then refer to the Emergency Control Procedures in the DERM Field and Remote Area Operations Procedure.



Queensland
Government

Issuing Officer's copy
Penalty Infringement Notice
State Penalties Enforcement Act 1999

No. Q 2000000 **4016309 8**

Alleged offender details

Family/Business/Company name and ACN Given name/s (If Individual) Male ☐
WARAGAP HOLDINGS PTY LTD Female ☐

Current address/ Registered office

SUITE 1 86 MOUNT ELIZA WAY
MOUNT ELIZA VIC
Postcode **3930**

Date of birth Phone Number Driver ☐ Passenger ☐ Please specify
Owner ☐ Other ☐

Identification details

Licence/Permit (type) State Number Date of expiry

Issued by Date of Issue

Vessel / Vehicle/Aircraft details

Vessel ☐ Vehicle ☐ Aircraft ☐ Commercial ☐ Private ☐

Registration number State Make Colour

Body type VIN/Chassis number Registration expires

Alleged offence details

Committed ☒ Time (hours) Day of week Date
Permitted ☐ At on **WEDNESDAY** and **28 08 13**

Or (do not use between dates for offences involving vehicles)

Start date End date
Between and

Location/Lot & Plan/ Other details (including address or GPS coordinates where appropriate)

BEHMS ROAD, JACOBS WELL, LOT 1 RP 186126
LOT 1 SP 102616, LOT 6 RP 6848, LOT 2 SP 102616
AND LOT 1 RP 193686

Act or Regulation breached

Act breached

ENVIRONMENTAL PROTECTION ACT 1994

Code Identifying particulars of the offence (Nature of alleged offence) Penalty

EPA22 Carrying out ERA WITHOUT
AN AUTHORITY FOR THAT ERA **\$2200**

☒ By Mail
☐ In Person

Issuing officer's details

Authorised officer's name (print)

MEGAN DAVIS

Office / Department

GOLD COAST & SCENIC RIM DEPT OF ENV I.D. number **7020208**

Signature **& HERITAGE PROTECTION** Date

sch4 - Personal information **181013**

Enquiries: Megan Davis
Telephone: (07) 5583 2146
Our reference: 241591 / SOR113337v7

REGISTERED POST - SENDER TO KEEP
490873946015



18 October 2013

Attn: Bevan Laming
Waragap Holdings Pty Ltd
Suite 1, 86 Mount Eliza Way
Mount Eliza, VIC 3930

RECEIVED / REGISTERED Dept of Environment and Heritage Protection Gold Coast	
21 OCT 2013	
File #:	80R113337
Item #:	2302406 2302407

Department of
Environment and
Heritage Protection

Dear Mr Laming

RE: Penalty Infringement Notice for carrying out an ERA without an Environmental Authority under the *Environmental Protection Act 1994*

Officers of the Department of Environment and Heritage Protection (the department) conducted a site inspection of Waragap Holdings Pty Ltd on 3 September 2013 at Behms Road, Jacobs Well described as Lot 1 Plan RP186126, Lot 1 Plan SP102616, Lot 6 Plan RP6848, Lot 2 Plan SP102616 and Lot 1 Plan RP193686 (the site).

During the inspection officers observed a waste receipt which stated that 'soapy waters' was accepted on 28 August 2013 from Anika Natural Products at Stapylton, transported by Global Equipment. Soapy waters constitute a basic (alkaline) solution and are therefore a regulated waste as per Schedule 7 of the *Environmental Protection Regulation 2008* (EP Reg). During the site visit, a Waragap Holdings Pty Ltd representative, Grant Laming, stated that 'soapy waters' had been accepted onto the site for disposal into the dredge pond for the past 18 months.

Accepting regulated waste for disposal or treatment constitutes an Environmentally Relevant Activity (ERA) under the EP Reg as per the definitions below:

ERA 58 – Regulated Waste Treatment

(1) *Regulated waste treatment (the relevant activity) consists of operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.*

ERA 60 – Waste Disposal

Waste disposal (the relevant activity) consists of only 1 of the following—

- (a) *operating a facility for disposing of*
 - (i) *only regulated waste; or*
 - (ii) *regulated waste and any, or any combination, of the following —*
 - (A) *general waste;*
 - (B) *limited regulated waste;*
 - (C) *if the facility is in a scheduled area—no more than 5t of untreated clinical waste in a year;*
- (b) *operating a facility for disposing of, in a year, 50t or more of waste consisting of—*
 - (i) *only general waste; or*
 - (ii) *general waste and either, or a combination, of the following—*

- (A) a quantity of limited regulated waste that is no more than 10% of the total amount of waste received at the facility in a year;
- (B) if the facility is in a scheduled area—no more than 5t of untreated clinical waste.

It is an offence to carry out an ERA without an Environmental Authority for the activity as per section 426(1) of the *Environmental Protection Act 1994* (EP Act). The maximum penalty for breach of this section of the EP Act is \$183 150.

The department has determined that the facts and circumstances of the offence warrant the issuing of a Penalty Infringement Notice (PIN) as an alternative to proceeding by way of prosecution in Court. Should the department obtain evidence indicating that the alleged offence is more serious than first considered, the department may withdraw the PIN within 28 days and may consider taking further action under the EP Act's provisions.

Please find enclosed a PIN issued to you in the amount of \$2,200.00. Payment of this sum must be made within 28 days, being 15 November 2013. Payment options available to you include cheque, money order, BPAY and BPOINT. For more information regarding your payment options please refer to the reverse side of the PIN.

Also contained in the PIN is information regarding your rights and obligations. This includes your right of election to have this matter dealt with by a Court. Should you wish elect to take the matter to Court, please complete the 'Elect for Court Hearing' section in the PIN and send the Notice to GPO Box 2454, Brisbane QLD 4001.

To assist you in complying with this Act, or for more information about the department's role in regulating Queensland's environment and heritage, please visit the department's website at: www.ehp.qld.gov.au.

If you have any questions about this letter or require more information about the accompanying PIN please contact Megan Davis, Senior Environmental Officer, on 07 5583 2146 or via email at megan.davis@ehp.qld.gov.au.

Yours sincerely,

Signature	sch4 - Personal information
sch4 - Personal information	

Date: 21/10/2013

Brett Glosko

Manager

Gold Coast & Scenic Rim, Southern Region

Regional Services, Environmental Services

Department of Environment and Heritage Protection

RECEIVED / REGISTERED Dept of Environment and Heritage Protection Gold Coast	
21 18 OCT 2013	
File #:	SOR113337
Item #:	2302408

Assessment Report

Penalty Infringement Notice

This Assessment Report will assist officers to record information in supporting a decision to issue of a Penalty Infringement Notice (PIN) in a circumstance under the State Penalties Enforcement Act 1999 regime. This includes the Environmental Protection Act 1994, Nature Conservation Act 1992, Forestry Act 1959, Recreational Areas Management Act 2006, Marine Parks Act 2004 and the Waste Recycling and Reduction Act 2011.

Note: For information on writing and management of PIN's please refer to the PIN Manual at <http://steps.steps.reflaunch.cfm?nw=true&ref=2291>

1. Identifying details relating to the PIN

Reference details	CA29407	
ECOTrack Number if used	241591	
Environmental Authority	EPPR00690613	
File number	SOR113337	
Name of alleged offender	Waragap Holdings Pty Ltd	
Date of birth	N/A	
Address	Waragap Holdings Pty Ltd Suite 1, 86 Mount Eliza Way , Mount Eliza VIC 3930	
ACN/ABN		
Contact details	Bevan Laming, Owner	s78B(2)

2. Background details of incident

Please outline any historical information relevant to this incident. This information may assist with the reasoning for the decision and may be essential should the matter be referred to the Magistrates Court.

Date & time	28 August 2013 (date the alleged offence occurred)
	3 September 2013 (date the department became aware of the offence)
Day of the week	Tuesday
Location	Lot 1 Plan RP193686 and Lot 2 Plan SP102616 Lot 1 Plan RP186126, Lot 1 Plan SP102616, Lot 6 Plan RP6848 961 Pimpama Jacobs Well Road, Jacobs Well
Vehicle/vessel details	N/A
Other information	

Assessment Report Penalty Infringement Notice (PIN)

3. Alleged offence details

Please outline what offences are alleged to have been committed. Details include the legislation, section number, penalty units and limitation periods. Note: If there are more than three separate PIN-able offences being considered the matters should form the basis of a complaint and summons and be heard by a Magistrate. PIN offence codes are found at: http://insite2.dnr.qld.gov.au/compliance_coordination/pins.html#offence_codes

No.	Section	Legislation	Penalty Units	Statute Limitation
1	EPA22 Section 426(1) Carry out ERA without an authority for that ERA	Environmental Protection Act 1994	20 (\$2200)	EP Act 1994 s497(a) – a proceeding for an offence against this Act by way of summary proceeding under the <i>Justice Act</i> 1886 must start within 1 year after the commission of the offence

4. Elements and supporting evidence

Please outline the elements of each of the offences listed above. Detail what evidence is available to satisfy each and every element of the offence(s), the source, how it is/was obtained and when it will/was obtained.

Offence No.	Elements	Type of evidence	Source of evidence	How evidence was obtained
1.	A person	Environmental Authority EPPR00690613	Department file SOR113337	Waragap Holdings Pty Ltd is the suitable operator of EA EPPR00690613.
2.	Must not carry out	Photographs, departmental file notes, witnesses, statements provided by registered operator.	Departmental file SOR113337	Officers observed a waste receipt during the inspection on 3 September 2013 which stated that 'soapy waters' had been accepted on the site on 28 August 2013. A photograph was taken of the receipt (see Attachment 1 Site Inspection Report). Site operator Grant Laming stated on 3 September 2013 that he had accepted soapy waters at the Waragap Holdings Pty Ltd site for approximately a year and a half. He stated that recently the transporter advised him not to fill out the receiver section of the waste tracking document. The soapy waters were placed into the extraction pond on the site (see Attachment 1 Site Inspection Report).

3.	An environmentally relevant activity	Photographs, departmental file notes, witnesses, statements provided by registered operator. <i>Environmental Protection Regulation 2008.</i>	Departmental file SOR113337 <i>Environmental Protection Regulation 2008</i> <i>Environmental Protection Act 1994</i>	The department considers that 'soapy waters' are a regulated waste as they are a basic (alkaline) solution. Basic (alkaline) solutions are listed in Schedule 7 of the <i>Environmental Protection Regulation 2008</i> as a 'regulated waste' (see excerpt below). Operating a facility for receiving and treating regulated waste to render the waste less hazardous constitutes ERA 58 – Regulated Waste Treatment (see excerpt below). The site currently accepts concrete washout to treat acidic pond waters. Receiving soapy waters to treat acidic pond waters would constitute ERA 58 – Regulated Waste Treatment as placing the basic solution into an acidic solution would render the waste less hazardous. Operating a facility for receiving and disposing of soapy waters would constitute ERA 60 – Waste Disposal as per the <i>Environmental Protection Regulation 2008</i> (excerpt below). Receiving soapy waters for disposal therefore constitutes ERA 60.
4.	Unless the person holds, or is acting under, an environmental authority for the activity.	Environmental Authority EPPR00690613	Department file SOR113337	Waragap Holdings Pty Ltd currently hold an EA for ERA 16 1 (c) dredging, in a year, more than 100 000t to 1 000 000 of material and ERA 16 3(b) screening, in a year, more than 100 00t to 1 000 000 tonne of material. Therefore Waragap Holdings Pty Ltd do not hold, or is acting under, an environmental authority for the activity.

Extract from *Environmental Protection Regulation 2008*:

Schedule 2 – Prescribed ERAs and aggregate environmental scores

ERA 58 – Regulated Waste Treatment

(1) *Regulated waste treatment (the relevant activity) consists of operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.*

ERA 60 – Waste Disposal

Waste disposal (the relevant activity) consists of only 1 of the following—

- (a) *operating a facility for disposing of*
 - (i) *only regulated waste; or*
 - (ii) *regulated waste and any, or any combination, of the following —*
 - (A) *general waste;*
 - (B) *limited regulated waste;*
 - (C) *if the facility is in a scheduled area—no more than 5t of untreated clinical waste in a year;*
- (b) *operating a facility for disposing of, in a year, 50t or more of waste consisting of—*

- (i) only general waste; or
- (ii) general waste and either, or a combination, of the following—
 - (A) a quantity of limited regulated waste that is no more than 10% of the total amount of waste received at the facility in a year;
 - (B) if the facility is in a scheduled area—no more than 5t of untreated clinical waste.

Schedule 7 – Regulated waste

- 1 acidic solutions and acids in solid form
- 2 animal effluent and residues, including abattoir effluent and poultry and fish processing wastes
- 3 antimony and antimony compounds
- 4 arsenic and arsenic compounds
- 5 asbestos
- 6 barium compounds, other than barium sulfate
- 7 basic (alkaline) solutions and bases (alkalis) in solid form**
- ...(additional wastes listed have been excluded for the purpose of this assessment report)

5. Other enforcement options

Please detail what other enforcement options have been considered for this matter.

Have other enforcement options been considered?	The department considered issuing another warning however a number of warnings have already been issued for the same offence as per the departmental letter dated 10 August 2012 (see Attachment 2). Waste tracking documents provided from the Waste Tracking team to Environmental Services – Gold Coast and Scenic Rim team indicate that this is an ongoing offence – see Attachment 3 as the waste receipt is dated 12 July 2013.
If yes, what are they and the reasons for using/not using them?	In accordance with the department's Compliance and Enforcement Guideline, the department has provided the operator with a number of opportunities to achieve compliance voluntarily. As the operator is choosing not to comply with their legislative obligations, the department is being consistent in taking prompt, strong action. Issuing a PIN is considered warranted to respond to this breach of legislation due to the ongoing nature of the offence.
If no, please advise why no other options have been considered?	N/A

6. Recommendation

The officer is required to make a recommendation in relation to the matter under investigation

Recommendation:

It is recommended that a Penalty Infringement Notice is issued to Waragap Parklands Pty Ltd for carrying out an environmentally relevant activity without holding or acting under an environmental authority for the activity. In addition, a Penalty Infringement Notice letter is recommended to be attached to the Penalty Infringement Notice.

Assessment Report
Penalty Infringement Notice (PIN)

7. Endorsement

The recommending officer and supervisor are required to sign and date below.

Recommending Officer		Supervisory Review	
Signature:	sch4 - Personal information	Signature:	sch4 - Personal informat
Print Name:	Megan Davis	Print Name:	Claire Quintal
Position:	Senior Environmental Officer	Position:	A/Principal Environmental Officer
Date:	18 October 2013	Date:	18 October 2013

8. Approval

The appropriate manager or supervisor is required to make a decision and sign and date below.

Decision for recommendation	Approved
Reasons for decision <p>I approve this decision for the reasons set out above and I note Mr Laming had been subject to a number of compliance audits over the past 18 months and was made fully aware of his obligations to comply with the relevant legislative obligations.</p>	
Signature: sch4 - Personal information	Print Name: Brett Glosko
Position: Manager	Date: 21/10/2013

RECEIVED / REGISTERED Dept of Environment and Heritage Protection Gold Coast	
24 SEP 2013	
File #:	SOR113337
Item #:	2275695

Inspections Toolkit

Environmental Protection Act 1994

(Level A, B and C) Checklist, On-Site Record & Inspection Report

1. General information

Company name: Waragap Pty Ltd 241591		Date of inspection: <i>September 10th</i> 3 August 2013	Time: 1pm
Trading as: Wholesale Sands – previously Beejays Investments		EA number: EPPR00690613	
Description of business activity/ERAs and EA's/BUA's: Lot 1 Plan RP193686 and Lot 2 Plan SP102616 DA: SPCE01179810 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material. DA: IPCE00615207 – ERA 16 3 (a) screening, in a year, 5000t to 100 000t of material BUA: ENBU01192410 – concrete washout to treat ASS BUA: ENBU01383110 – accepting drilling waters to obtain sand Lot 1 Plan RP186126, Lot 1 Plan SP102616, Lot 6 Plan RP6848 DA: IPDE00383806B11 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material and ERA 16 3 (b) screening, in a year, 100 000t to 1 000 000t of material BUA: ENBU02025510 – accepting concrete washout materials to treat ASS		File number: BST885 v 7	
Street address: 961 Pimpama Jacobs Well Road, Jacobs Well			
Site representative/s: Grant Laming and Bevan Laming	Position/s: Owner/operator	Contact telephone: 5546 1454 <div style="border: 1px solid black; padding: 2px;">sch4 - Personal inf</div>	
Department's representatives: Megan Davis, Brett Glosko, Sara Cuthbertson			
Registered business address: Waragap Holdings Pty Ltd Suite 1, 86 Mount Eliza Way, Mount Eliza VIC 3930			
Inspection level (check box): Level A ☐ Level B ☒ Level C ☐			

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

2. Pre-inspection considerations

Environmental risk	Low
Last inspection date	6 August 2013
General description of location and surrounding environment	<p>The site is located at Jacobs Well – a floodplain of the Logan/Albert River. The department has been verbally advised that the sand deposit is likely to have been washed down from the river and covered some time ago as it is not a saline sand.</p> <p>The area has naturally occurring high groundwater – which is why it is known as Jacobs Well – and it appears that this is naturally influenced by acid sulphate soils as the entire region has low pH ground waters with high aluminium and iron levels, particularly after rainfall.</p>
History of the activity	<p>Ongoing sand extraction and screening site. Potential issues with groundwater contamination due to high pH in pond waters (high groundwater level in this area). Ongoing issues with dust, sediment on the road, potential waste acceptance and breach of pond walls resulting in water entering neighbouring site (Oxenford Parklands Pty Ltd operated by s78B(2)). Site is continuing to extract sand, screen it and sell it. The operator also holds current BUA's to accept clean fill and drilling waters to deposit into pond. Long term aim to refill pond with clean fill. In some area's pond is 8m in depth.</p>
Outstanding issues and/or non-compliances/enforcement (e.g. environmental protection orders)	<p>Ongoing complaints from the local community regarding dust nuisance and sediment on the road from the entry and exit points onto Jacobs Well-Pimpama Road. Ongoing complaints alleging unauthorised waste acceptance. The Jacobs Well Progress Association has concerns about the possible contamination of surface waters and groundwater from the unauthorised acceptance of waste. Also have concerns about the final land use and rehabilitation of the site which departmental officers have directed to the council. Concerns regarding traffic management have also been directed to council and to the Department of Transport and Main Roads.</p>
Industry specific hazards – consider personal safety	
Waste	Possible inert waste on site
Quarrying	Dust – from vehicles moving around the site and dumping clean fill onto the site to use as fill for the onsite lake. Large vehicles moving around the site and entering/exiting site.
Other	NA
Personal protective equipment (PPE) – consider whether any PPE is required	
Safety helmet	Yes ☐ No ☒
Hearing protection	Yes ☐ No ☒
Eye protection	Yes ☐ No ☒
Protective clothing	Yes ☒ No ☐
Protective footwear	Yes ☒ No ☐

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

Respiratory protection	Yes ☐ No ☒
Other	Yes ☒ No ☐ If yes, describe PPE: High Vis vest -
Arrange safety induction training with occupier of site before any work is done	Yes ☐ No ☒

3. Observations

Location	Observation
Wheel Wash on site at Exit point to Pimpama-Jacobs Well Road, Jacobs Well.	A wheel wash has been installed and is now operational– see Figure 1 and 2. The dirty water from the wheel wash will be directed back into the on-site pond – see Figure 3. Entry/Exit signs have been installed on the property fences to direct traffic into second entry and out of first – see Figure 4.
Pimpama-Jacobs Well Road	The amount of sediment on Pimpama-Jacobs Well Road has decreased significantly since the last inspection – see Figure 5.
Waste receipts and acceptance	<p>During the inspection departmental officers inspected the waste receipts that are held in the on-site office on the Pimpama-Jacobs Well entry/exit point. The receipts mostly described 'dirty waters' being accepted which may be consistent with the 'drilling waters' BUA that is currently held for the site. The only exception was a receipt dated 28 August for 'soapy waters' from Anika Natural Products at Stapylton that was transported by Global Equipment. A photograph of the receipt was taken – see Figure 6. MD asked Grant Laming (operator at this side of the site) what the soapy waters receipt was for. GL replied that they had been accepting this waste or a year and a half. Recently the transporter told him not to fill out the 'receiver' section of the waste tracking documents which are sent to the department's compliance team. GL stated he thought it was unusual but continued to accept the waste. MD advised that soapy waters were a considered a regulated waste as they were an alkaline solution and could not be accepted without an approval, however, she would double check the legislation and advise the operator of the definition of alkaline solution.</p> <p>In relation to the acceptance of waste Bevan Laming (BL) asked whether construction waste including large pieces of concrete could be accepted by him to use as fill. MD advised that the definition of 'clean earth' only included concrete under 100mm in size only and approval would be required to accept larger pieces of concrete.</p> <div style="background-color: #cccccc; padding: 2px;">s78B(2) - Substantial harm</div> <div style="background-color: #cccccc; padding: 2px;">s78B(2) - Substantial harm</div> <p>Definitions from <i>Environmental Protection Regulation 2008</i>:</p> <p>clean earthen materials means—</p> <p>(a) bricks, pavers, ceramics or concrete that does not contain embedded steel reinforcing rods, pulverised to a size of no more than</p>

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

	<p>100mm; or (b) clean earth.</p> <p>clean earth means earth that has trace elements and contaminant levels within the interim ecologically-based investigation levels for urban land use under the document 'Schedule B(1)—Guidelines on the Investigation of Soil and Groundwater', forming part of the National Environment Protection (Assessment of Site Contamination) Measure 1999.</p> <p>general waste means waste other than regulated waste.</p> <p>limited regulated waste means any of the following types of regulated waste—</p> <p>(a) animal effluent and residues, including abattoir effluent and poultry and fish processing waste;</p> <p>(b) asbestos;</p> <p>(c) food processing waste;</p> <p>(d) quarantine waste that has been rendered non-infectious;</p> <p>(e) sewage sludge or residue produced in carrying out an activity to which schedule 2, section 63 applies;</p> <p><i>Editor's note—</i> schedule 2, section 63 (Sewage treatment)</p> <p>(f) treated clinical waste;</p> <p>(g) tyres.</p> <p>ERA 60 (Waste Disposal) states that: (2) The relevant activity does not include using clean earthen material as fill.</p>
Final Land Use/Rehabilitation	<p>MD asked where the planning was up to with the final land use. Bevan Laming (BL) advised that it had stalled in council. He had been willing to sell the lands, once filled, to the council for \$1 to be used for sports fields. He said that the local councillor decided to reject the offer and bought land further down the road for the same purpose – he believed the decision was entirely political. MD advised that the JWPA had been asking what was occurring with the lands and she had advised that it was council's jurisdiction to decide the final land use planning decisions. BL advised that he would speak directly to the JWPA. MD requested permission to provide BL's mobile number to s78B(2) the JWPA member asking the questions. BL consented.</p>
Ongoing fill acceptance	<p>Whilst on the site, trucks were observed entering the second entry and unloading the clean fill into the extraction pond. MD asked BL what the final plan was – how much would be filled. BL advised that the intention was to fill the entire site which would take some years.</p>
s.73	

	S.73
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Figure 1 – Wheel Wash installed on site at Exit Point 1 (see map below)



Figure 2 – Wheel Wash with sprays



Figure 3 – Dirty waters from back into extraction pond



Figure 4 – Signs have been installed directing traffic to enter through one entry and exit out of the other

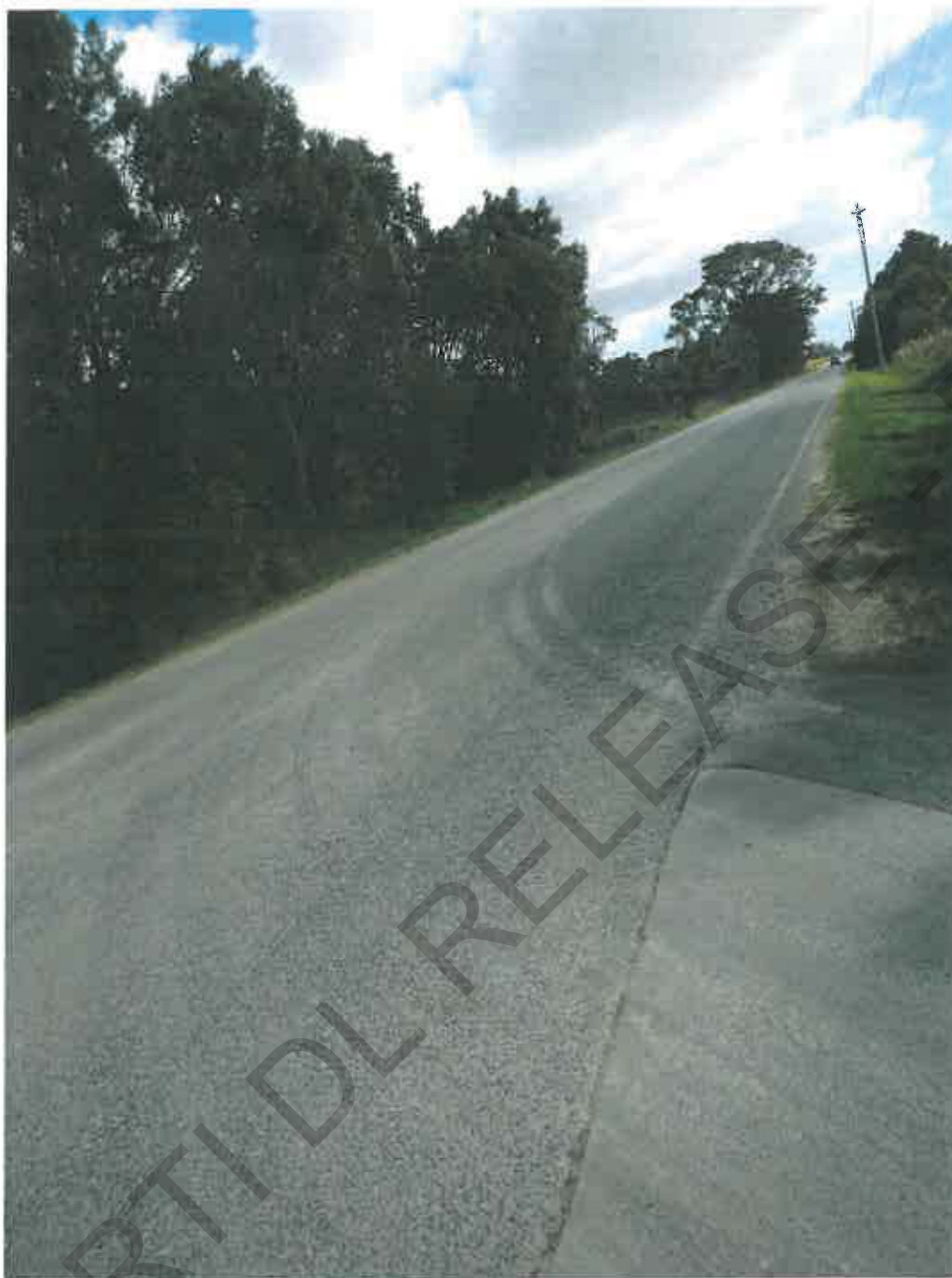


Figure 5 –Sediment decreased on Pimpama-Jacobs Well Road

Figure 6 – Soapy water receipt



4. Inspection results summary

Overall Findings

General observation/s	<p>Wheel wash has been installed and is operational and sediment is now being prevented from exiting the site.</p> <p>Wind-blown dust was observed leaving the site from the Behms Road entrance area, however, it was a dry and windy day. The operator advised that he is considering installing a pop-up sprinkler system to prevent ongoing dust nuisance issues. Only one complaint of dust nuisance has been received in the past six months.</p> <p>The receipt of 'soapy water' is not permitted at this site. An approval is required if the operator wants to continue to accept this waste. A warning letter was issued on 10 August 2012 advising that the receipt of fertiliser washings, low level contamination slurry, waste yeast and chicken manure was not permitted. It is recommended that a warning letter be issued again advising that soapy water would be considered a regulated waste and cannot be accepted at the site without an approval.</p>
Compliance level	<p>☒ Environmental nuisance/minor non-compliance</p> <p>☐ Actual or risk of material harm/repeat non-compliance</p> <p>☐ Actual or risk of serious harm</p> <p>☐ Compliant</p> <p>☐ Fully compliant/best practice</p>
Environmental risk	<p>☐ (1) Very low</p> <p>☒ (2) Low</p> <p>☐ (3) Moderate</p> <p>☐ (4) High</p> <p>☐ (5) Very high</p>

5. Natural justice

☒ The person has been provided with the opportunity to put their side of the story forward.

The department will issue a warning letter to the operator advising that 'soapy waters' cannot be accepted at the site without departmental approval.

☒ List any information and/or defences provided.

The operator was not aware that 'soapy water' was considered a regulated waste.

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

☒ The Department has considered the information or defences provided.

The department will provide a warning letter for this offence but if it occurs in the future, a PIN will be issued.

☒ The decision-maker and environmental officer are free from bias or the perception of bias.

The operator was frank and honest, advising that he did not know that he couldn't accept this type of waste.

6. Ecotrack

Ecotrack case number	CA29407	
Activity	Time (hours)	Comments
Planning	1	
Inspection	1	
Reporting	3	
1.5	5	

7. Recommendation

Enforcement measure	Date issued:	Type:	Next due date:
	Issue letter with list of regulated wastes attached, warning that accepting these constitutes an ERA and undertaking an ERA without an EA is an offence under 426(1) of the EP Act. Include definition of 'clean earthen material' and 'clean fill'. Advise of intent to issue PIN for breach of 426(1) and request written response by 30 September 2013 as to why PIN shouldn't be issued.		
Next inspection date	NA		

8. Endorsement

The recommending officer and supervisor are required to sign and date below.

Recommending Officer		Supervisory Review	
Signature:	sch4 - Personal information	Signature:	sch4 - Personal information
Print Name: Megan Davis		Print Name: Claire Quintal	
Position: Senior Environmental Officer		Position: A/Principal Environmental Officer	
Date: 17 September 2013		Date: 23 September 2013.	

Map of Site and Observations during Inspection



Attachment 2 - departmental letter 10 Aug 2012

Enquiries: Megan Davis
Telephone: (07) 5583 2146
Our reference: 241591 / BST 885 v 7


**Queensland
Government**

10 August 2012

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well QLD 4208

File No:

BST885

BST2012/1319

C1916329

14-Aug-2012



Dear Mr Laming,

Re: Acceptance of Waste - Official Warning Letter

The Department of Environment and Heritage Protection (the department) recently undertook a compliance audit on 6 July 2012 at the premises of Waragap Holdings Pty Ltd, situated on Behms Road, Jacobs Well (Lot 1 on RP193686, Lot 2 on SP102616, Lot 1 on RP186126, Lot 1 on SP102616 and Lot 6 on RP6848).

During the audit, waste acceptance receipts were provided to officers of the department for the period of 8 June 2012 to 27 June 2012. A number of the waste acceptance receipts provided indicated that unauthorised waste has been accepted at the site. These wastes included fertiliser washings, low level contaminated slurry and waste yeast. A copy of the receipts in question is attached.

Fertiliser Washings

Receipt 6955 dated 12 June 2012 states that 19 380 litres of fertiliser washings was received at the premises, delivered by Patriot Tankers Pty Ltd. Departmental officers contacted Patriot Tankers Pty Ltd on 25 July 2012 who confirmed that the fertiliser washings were being transported from a fertiliser manufacturer to your site and were placed directly into the on-site lake / pond.

Fertiliser washings may be a regulated waste as per Schedule 1 of the *Environmental Protection Regulation 2008: 46 phosphorus compounds, other than mineral phosphates*.

Fertiliser washings may also be prescribed water contaminant as per Schedule 9 of the *Environmental Protection Regulation 2008*:

1: a chemical, or chemical waste containing a chemical

Examples—

- biocide, including herbicide, fungicide and pesticide
- chemical that causes biochemical or chemical oxygen demand
- chemical toxicant for which guidelines are prescribed in the document 'Australian and New Zealand guidelines for fresh and marine water quality'

12: industrial waste.

Level 1 APVC Building
14 Edgewater Court Robina 4230
PO Box 4244
Robina Town Centre QLD 4230
Telephone (07) 5583 2146
Facsimile (07) 5583 2136
Website www.dem.qld.gov.au

Low Level Contaminated Slurry

Receipt 6984 dated 20 June 2012 states that 1000 litres of low level contaminated slurry was received at your premises, delivered by Vac-U-Digga. Receipt 6985 dated 20 June 2012 states that 1000 litres of low level contaminated slurry was received at your premises, delivered by Vac-U-Digga.

Departmental officers contacted Vac-U-Digga on 25 July 2012 who confirmed that soil was delivered to the site on 20 June 2012.

Vac-U-Digga provided the results of soil testing as requested. The testing shows that levels of contaminants were compared to the DECCW (2008) Waste Classification Guidelines Part 1: Classifying Waste. The department has concerns that this is not an appropriate guideline for assessing whether the material will cause environmental impacts as the waste is being placed directly into surface waters on the site that are most likely connected with groundwater.

Clean earth is defined under the *Environmental Protection Regulation 2008* as

clean earth means earth that has trace elements and contaminant levels within the interim ecologically-based investigation levels for urban land use under the document 'Schedule B(1)—Guidelines on the Investigation of Soil and Groundwater', forming part of the National Environment Protection (Assessment of Site Contamination) Measure 1999.

Please note that this is for 'urban land use' and does not specify contaminant levels for waste to be placed directly into waters.

Low level contaminated slurry may also be prescribed water contaminant as per Schedule 9 of the *Environmental Protection Regulation 2008*:

6: ashes, clay, gravel, sediment, stones and similar organic or inorganic matter;

9: building, construction and demolition waste, including bitumen, brick, concrete cuttings, plaster and waste water generated by building, construction or demolition.

Waste Yeast

Receipt 6988 dated 21 June 2012 states that 22 000 litres of waste yeast was received at your premises, delivered by Austrans Haulage Pty Ltd.

Receipt 7000 dated 27 June 2012 that 23 000 litres of waste yeast was received at your premises, delivered by Austrans Haulage Pty Ltd.

Departmental officers contacted Austrans Haulage Pty Ltd on 25 July 2012 who confirmed that the source of the yeast was likely to be from a brewery.

Waste yeast may be a regulated waste as per Schedule 1 of the *Environmental Protection Regulation 2008*: 23 food processing waste.

Waste yeast may also be prescribed water contaminant as per Schedule 9 of the *Environmental Protection Regulation 2008*:

16: putrescible waste, including, for example, food scraps.

Chicken Manure

During the compliance inspection, Bevan Laming advised the departmental officers that chicken manure had previously been received on the site and was mixed with soil to be re-sold.

Accepting this type of waste may trigger ERA 53 – Composting and Soil Conditioner Manufacturing.

You are warned that the acceptance of ANY waste for disposal within the onsite pond is not permitted by your current development approvals and beneficial use agreements. You are reminded that the purpose of the BUA approvals are:

- ENBU02025510 for concrete washout material is to be used as a neutralising agent for acidic dredge pond waters for Lot 2 on SP102616 and Lot 1 on RP193686;
- ENBU01192410 for concrete washout material is to control the pH of the dredge pond waters for Lot 6 on RP6848, Lot 1 on SP102616 and Lot 1 on RP186126; and
- ENBU01383110 for construction/drilling waters from inline drilling is to acquire sand and gravel within the drilling water as a resource to generate profit for Lot 6 on RP6848, Lot 1 on SP102616 and Lot 1 on RP186126.

The acceptance of ANY wastes for alternative purposes other than those stated above is not permitted.

Accepting regulated waste for treatment on the site may trigger Environmentally Relevant Activity (ERA) 58 – Regulated Waste Treatment (see definition attached).

Accepting regulated waste for treatment on the site may trigger Environmentally Relevant Activity (ERA) 55 - Regulated waste recycling or reprocessing (see definition attached).

Accepting waste including regulated waste or general waste onto the site may trigger ERA 60 – Waste Disposal (see definition attached). General waste is any waste that is not regulated waste. Regulated wastes are listed in Schedule 1 of the *Environmental Protection Regulation 2008* (attached for your reference).

Operating an ERA without a registration certificate is an offence under section 427 of the *Environmental Protection Act 1994* which carries a maximum penalty of \$44 000.

Furthermore, it is currently unknown as to the degree of connectivity between the on-site pond and the region's surrounding groundwater. The interment of material, including contaminated spoil and wastes, may have an adverse impact on the region's groundwater chemistry and you are advised that depositing prescribed water contaminants in waters is an offence under section 442 of the *Environmental Protection Act 1994* which carries a maximum penalty of \$18,150.

This is an **official warning** issued by the Department of Environment and Heritage Protection (reference number CA25721). If you do not heed this warning, the department

may take enforcement action against Waragap Holdings Pty Ltd which may include issuing a fine, an enforcement order, or prosecution.

If you require any further information please contact Megan Davis on (07) 5583 2146.

Yours sincerely

sch4 - Personal information

Brett Glosko
Manager, Gold Coast
Environmental Services
Southern Region
Department of Environment and Heritage Protection

Attached: ERA definitions and Schedule 7, Regulated Wastes, excerpt from the Environmental Protection Regulation 2008

ERA Definitions

ER 55 – Regulated Waste Recycling or Reprocessing

(1) Regulated waste recycling or reprocessing (the relevant activity) consists of operating a facility for receiving, and recycling or reprocessing, regulated waste to produce saleable products.

ERA 58 – Regulated Waste Treatment

(1) Regulated waste treatment (the relevant activity) consists of operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.

ERA 60 – Waste disposal

(1) Waste disposal (the relevant activity) consists of only 1 of the following—

(a) operating a facility for disposing of—

(i) only regulated waste; or

(ii) regulated waste and any, or any combination, of the following—

(A) general waste;

(B) limited regulated waste;

(C) if the facility is in a scheduled area—no more than 5t of untreated clinical waste in a year;

(b) operating a facility for disposing of, in a year, 50t or more of waste consisting of—

(i) only general waste; or

(ii) general waste and either, or a combination, of the following—

(A) a quantity of limited regulated waste that is no more than 10% of the total amount of waste received at the facility in a year;

(B) if the facility is in a scheduled area—no more than 5t of untreated clinical waste.

(2) The relevant activity does not include using clean earthen material as fill.

Schedule 7, Environmental Protection Regulation 2008

- 1 acidic solutions and acids in solid form
- 2 animal effluent and residues, including abattoir effluent and poultry and fish processing wastes
- 3 antimony and antimony compounds
- 4 arsenic and arsenic compounds
- 5 asbestos
- 6 barium compounds, other than barium sulfate
- 7 basic (alkaline) solutions and bases (alkalis) in solid form
- 8 beryllium and beryllium compounds
- 9 boron compounds
- 10 cadmium and cadmium compounds
- 11 chemical waste arising from a research and development or teaching activity, including new or unidentified material and material whose effects on human health or the environment are not known
- 12 chlorates
- 13 chromium compounds (hexavalent and trivalent)

- 14 clinical and related waste
- 15 containers contaminated with a regulated waste
- 16 copper compounds
- 17 cyanides (inorganic)
- 18 cyanides (organic)
- 19 encapsulated, chemically-fixed, solidified or polymerised wastes
- 20 ethers
- 21 filter cake, other than filter cake waste generated from the treatment of raw water for the supply of drinking water
- 22 fly ash
- 23 food processing waste
- 24 grease trap waste
- 25 halogenated organic solvents
- 26 highly odorous organic chemicals, including mercaptans and acrylates
- 27 inorganic fluorine compounds, other than calcium fluoride
- 28 inorganic sulfides
- 29 isocyanate compounds
- 30 lead and lead compounds including lead-acid batteries
- 31 material containing polychlorinated biphenyls (PCBs), polychlorinated naphthalenes (PCNs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs)
- 32 mercury and mercury compounds
- 33 metal carbonyls
- 34 mineral oils
- 35 nickel compounds
- 36 non-toxic salts including, for example, saline effluent
- 37 hydrocarbons and water mixtures or emulsions, including oil and water mixtures or emulsions
- 38 organic phosphorous compounds
- 39 organic solvents, other than halogenated solvents, including, for example, ethanol
- 40 organohalogen compounds, other than another substance stated in this schedule
- 41 oxidising agents
- 42 perchlorates
- 43 pesticides, including organochlorine
- 44 pharmaceuticals, drugs and medicines
- 45 phenols and phenol compounds, including chlorophenols
- 46 phosphorus compounds, other than mineral phosphates
- 47 polychlorinated dibenzo-furan (any congener)
- 48 polychlorinated dibenzo-p-dioxin (any congener)
- 49 reactive chemicals
- 50 reducing agents
- 51 residues from industrial waste treatment or disposal operations
- 52 selenium and selenium compounds
- 53 sewage sludge and residues, including nightsoil and septic tank sludge
- 54 surface active agents (surfactants) containing principally organic constituents, whether or not also containing metals and other inorganic materials
- 55 tallow
- 56 tannery wastes, including leather dust, ash, sludges and flours
- 57 tarry residues arising from refining, distillation or any pyrolytic treatment
- 58 tellurium and tellurium compounds

- 59 thallium and thallium compounds
- 60 triethylamine catalysts for setting foundry sands
- 61 tyres
- 62 vanadium compounds
- 63 vegetable oils
- 64 waste containing peroxides other than hydrogen peroxide
- 65 waste from a heat treatment or tempering operation that uses cyanides
- 66 waste from surface treatment of metals or plastics
- 67 waste from the manufacture, formulation or use of the following—
 - biocides or phytopharmaceuticals
 - inks, dyes, pigments, paints, lacquers or varnish
 - organic solvents
 - photographic chemicals or processing materials
 - resins, latex, plasticisers, glues or other adhesives
 - wood-preserving chemicals
- 68 waste from the manufacture or preparation of pharmaceutical products
- 69 waste of an explosive nature, other than an explosive within the meaning of the Explosives Act 1999
- 70 wool scouring wastes
- 71 zinc compounds

SITE INSPECTION HAZARD CHECKLIST

This checklist has been devised to help officers plan and conduct an initial hazard identification and perimeter inspection.

Known history of site:

Site name: *Warragap Pty Ltd operating as Greensland Sand & Soil*

Address: *1790 Pimpama - Jacobs well Road, Jacobs well*

Contact person: *Brian Laming*

Telephone: *sch4 - Personal information*

Site use:

(For industrial sites)

Engineering

Light manufacturing

Food processing

Waste

Chemical production

Health/medical

Other

(For rural sites)

Farming

Mining

Quarrying

Other

sand extraction & screening

Personal protective equipment required:

Protective clothing

Protective footwear (safety boots / gumboots)

Respiratory protection

Safety Helmet

Wide brimmed hat

Rain coat / cold weather jacket

Gloves (chemical / work gloves)

High vis vest

Hearing protection

Eye protection

Waste bag

Drinking water

Hand cleaner

Sunscreen/insect repellent

Other:

Training for site-specific hazards: Authorised officer to arrange safety induction training with occupier of site before any work is done.

Hazards to look for on perimeter inspection:

Hazardous means of access or exit

Ground: Uneven/Slippery/soft/unstable/holes/drops

Water hazards: ponds, dams pools of liquid on the ground

Flash flood hazards:

creek beds/stormwater pipes (consider weather)

Comments:

trucks entering/exiting.

Structures:

Hazardous means of access or exit

Platforms/stairs/walkways (unstable and poorly maintained / slippery)

Obstacles without guards or barriers from ground level to head height

No warning signs, tags or placards visible on fences, buildings, vehicles, containers, tanks, baths or machines

Biological hazards:

Insects, snakes, guard dogs, ticks bio-wastes

Evidence of dead fish / vegetation / animals / algae

Aggressive or violent people (Is police help needed?)

Do you have required vaccination?

possibly

s78B(2)

can be loud but isn't aggressive

Hazardous substances:

Dust, spray or vapour evident in ambient air

Unusual or unpleasant odours

Presence of gas generation or effervescence from pipes/containers or ground surface

Pesticides, asbestos,

Leaking, damaged or bulging drums

Discoloured liquids, vapour clouds, oil slicks or other unknown substances on the ground or in any nearby watercourse

Indications of explosive atmosphere: dust or hydrocarbon type odours (eg. 'rotten egg gas')

can be dusty

Machinery:

Use of heavy plant and equipment (eg. earth moving machinery, forklifts and trucks)

Overhead gantries, cranes and hoists

Steam outlets/hot pipes/condensate vents

Air / water / steam hoses

Electrical cables/overhead/ on-ground, Electric fences

Housekeeping, unstable storage of materials (eg.

pallets/timber/trucks)

large vehicles/machinery on site.

Waragay City Ltd.

South East Region Environmental Services Safe Working Practice

Site Inspections

Approved by : Lorraine Briggs

Date created : 14/02/12

Review : February 2014

Compiled : Joanne Harris

Version No : 1

1.0 PURPOSE

To safeguard the health and safety of all workers and other persons required to perform site inspections on behalf of the Department of Environment and Resource Management (DERM).

2.0 SCOPE

This procedure applies to all Environmental Officers in the South East Region, Environmental Services of DERM.

3.0 RESPONSIBILITIES

It is the responsibility of all staff to ensure that the safe working procedure for site inspection is followed. Specific responsibilities to ensure this procedure is followed are delegated to relevant managers, supervisors or selected staff as identified.

4.0 PROCEDURE

PERSONAL PROTECTIVE EQUIPMENT DONNING REQUIREMENTS

 FOOT PROTECTION MUST BE WORN	 PROTECTIVE CLOTHING MUST BE WORN	 SUN HAT MUST BE WORN	 SAFETY VEST OR HIGH VISIBILITY CLOTHING MUST BE WORN			
 INSECT REPELLENT MUST BE WORN	 SUN SCREEN MUST BE WORN	 HEAD PROTECTION MUST BE WORN ○ if necessary detachable sun brim	 HEARING PROTECTION MUST BE WORN	 DUST MASK MUST BE WORN	 HAND PROTECTION MUST BE WORN	 EYE PROTECTION MUST BE WORN

VEHICLE / EQUIPMENT CHECKLIST

☒ Mobile Phone	☒ Washer Fluid
☒ Fuel	☒ Lights / Indicators
☒ Tyre Inflation & condition	☒ First Aid Kit
☒ Body	☒ Fire Extinguisher
☒ Fluid Leaks under vehicle	☒ Drinking Water / Food

Step	Method	Personnel Responsible
A. Pre Inspection	☒ Plan the site inspection ☒ Determine the level of risk using the Trip/Activity Risk-based Requirement Matrix. Use the following for Pre-Occupation Checks ☒ If Low Risk - use Low Risk Trip Checklist ☐ * If Medium to High Risk - Use DERM SER Trip Approval Form and SER Vehicle and Equipment Checklist	Environmental Officer (EO)
	☒ Check for recent compliance issues (electronic & hard file, Ecotrack, other staff members with knowledge of site)	
	☒ Check the relevant files (Development Approval and Registration Certificate) for information that relates to the site	
	☒ Arrange with Registered Operator / site owner / company representative to accompany DERM Officer during site inspection.	
	☒ Check if there is a required site induction or any other Personal Protective Equipment requirements e.g. hard hat, respirators.	
	☒ Complete Site Inspection Hazard Checklist and file when completed.	
	☒ Consider current climatic conditions e.g. including the potential for extreme weather events as indicated by the Bureau of Meteorology weather warnings such as flooding, extreme heat or cold temperatures.	
	☒ Pre site briefing	EO / Team Leader / MGR
B. On Site	☒ Discuss the purpose of the site inspection with the representative on site and check for any site induction / hazards before proceeding with the site inspection.	EO
	☒ Check for hazards. ☒ If made aware of new hazard other than those apparent in the initial Site Inspection Hazard checklist then complete a new risk assessment.	
	☒ Proceed with inspection only if there are no apparent risks to health and safety.	
	☒ If there is any doubt about safety then do NOT proceed and seek advice from Manager/Team Leader.	EO / Team Leader / MGR
C. Post Inspection	☐ Debrief with /Team Leader	EO / Team Leader / MGR

Environmental Services and Regulation - Southern Region

Low Risk Trip Checklist

Evaluate trip risk level using Activity Risk-based Requirement Matrix

Risk	Environmental Conditions	Communication	Availability of Assistance	Trip Planning & Considerations
Extreme	Risk not acceptable. No activity to be conducted.			
High	Generally roads and tracks are rare or non-existent. Support infrastructure is not accessible	Communication systems generally not available or very poor.	Support and assistance would be not be available - possibly overnight or longer.	Risk Assessment & Documentation, Communication, Transport, Equipment, Skills/Capabilities, Emergency Plan, Hazards
Medium	Generally roads or tracks are limited. Support infrastructure is difficult to reach.	Communications systems may be patchy and unreliable.	Support or assistance would not be readily available.	
Low	Generally roads and tracks are available and well defined. Support infrastructure is readily accessible.	Communications systems are highly operable	Access to support or assistance would be readily available.	

Checklist

- ☒ Arrange for a colleague to accompany you to the site inspection.
- ☒ All vehicles are equipped with mobile phone, first aid kit and satellite phone (if necessary). Officers are responsible for ensuring that these are in good working order.
- ☒ Ensure all members of the team have Reviewer/Editor access to each other's Outlook Calendar.
- ☒ Officer to complete the following information in Outlook Calendar: date, time, client/accommodation details (name, address and contact number) and reason – even if they are going out immediately.
- ☒ Check directions to the site, print map or bring NavMan if required.
- ☒ Arrange to bring camera, Personal Protective Equipment Kit bag, Authorised Officer ID and notebook.
- ☒ Establish expected time of return to the office and inform Manager/Team Leader of agreed check in times.
- ☒ Verbally advise other team members left in the office of site inspection and area you are going.
- ☒ If site inspection/meeting is taking longer than expected, phone office to advise of new return time.
- ☒ If the office has NOT heard from the Officer 15 minutes after the return time then the Manager/Team Leader rings the Officer.
- ☒ If Officer is still unreachable then refer to the Emergency Control Procedures in the department's Field and Remote Area Operations Procedure.

File No:

85T885
BST2012/90

C1905392

23-Jan-2012



Registration certificate

Environmental Protection Act 1994

REGISTERED POST - SENDER TO KEEP
483833421011

EPRR 0069 0613

Registration certificate

No: ENRE00874209

This registration certificate is issued by the administering authority and takes effect from: 23 January 2012

The anniversary day for the purposes of the Annual Return remains: 8 September

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities listed below at the following places; subject to the conditions set out in a development approval attached to the premises.

Registered Operator:-

Waragap Holdings Pty Ltd
Wholesale Sands
Suite 1, 86 Mount Eliza Way
MOUNT ELIZA VIC 3930

Place:-

Lot 1 Plan RP193686, Lot 2 Plan SP102616

Located at:-

961 Pimpama Jacobs Well Road, JACOBS WELL QLD 4208

Registered Activities: -

Development Approval:- SPCE01179810

ERA 16 Extractive and screening activities Threshold 1(c) - dredging, in a year, more than 100000t to 1000000t of material

Development Approval:- IPCE00615207

ERA 16 Extractive and screening activities Threshold 3(a) - screening, in a year, 5000t to 100000t of material

Development Approval:- IPDE00383806B11

Place:-

Lot 1 Plan RP186126, Lot 1 Plan SP102616, Lot 6 Plan RP6848

Located at:-

Behms Road, JACOBS WELL QLD 4208

Registered Activities: -

ERA 16 Extractive and screening activities Threshold 1(c) - dredging, in a year, more than 100000t to 1000000t of material

ERA 16 Extractive and screening activities Threshold 3(b) - screening, in a year, more than 100000t to 1000000t of material

sch4 - Personal information

Delegate
Department of Environment and Resource Management
Environmental Protection Act 1994

23-JAN-2012



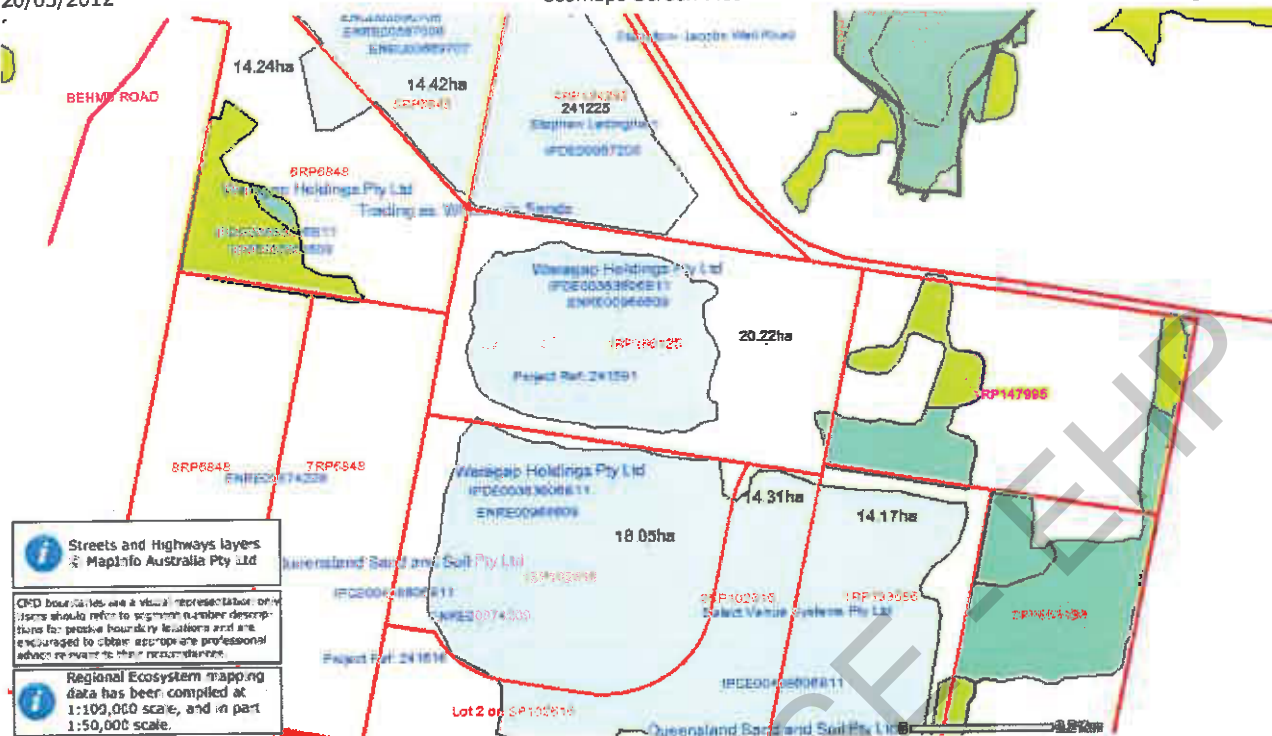
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Queensland Environmental Protection Agency

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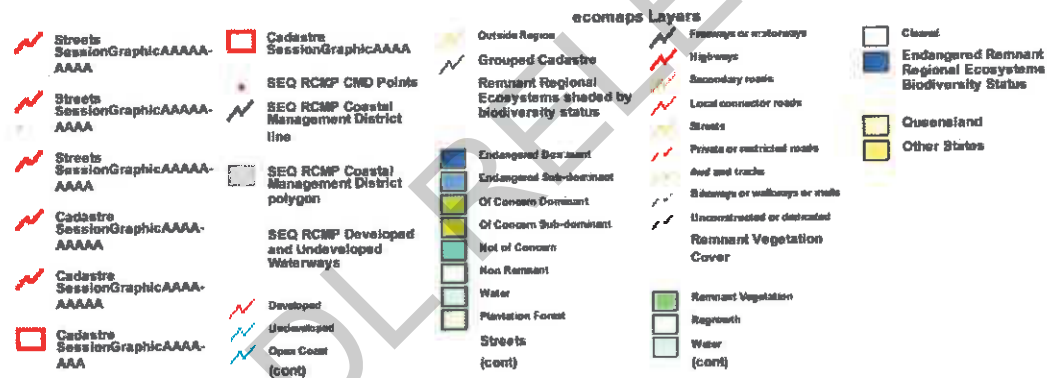
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