

Lot:	1	Plan:	SP217651
Category:	NOTIFIABLE ACTIVITY		
LGA:	Livingstone Shire Council		
Site Name:	FORMER SERVICE STATION		
Street:	23 JAMES STREET		
Suburb:	YEPPOON QLD	Post Code:	4703
Owner:	QUEENSLAND RAIL		
Address:	GPO BOX 1429		
	BRISBANE QLD		
Post Code:	4001		

Rec Type:	BP	ID:	81442
Region:		Hist. ID:	
AMA/AN:			
Notified By:	CONSULTANT	Notif. Rec'd:	
Entry Date:	21/08/2008	Last Altered Date:	27/03/2020
File:			
Officer:	RITCHIEP		
Parcel Status:	D	Area:	m2

External References

URS, Third Party Review Summary and Certification Report,ref# 42626219, Page 29 Conclusions and Recommendations, 29 March 2012, Prepared for Queensland Rail Limited.

Hazardous Contaminants

Possible high arsenic levels along rail corridor.

Notifiable Activities

SERVICE STATIONS
HAZARDOUS CONTAMINANT

Comments

Create Date	User ID	Corr No	Officer Name	Date Final	How Finalized
24/02/2010	MARTLEA				
DISPOSAL PERMIT GRANTED 24/02/2010 FOR GEOENVIRONMENTAL CONSULTANTS PTY LTD FOR DISPOSAL OF 190 CUBIC METRES OF SOIL CONTAMINATED WITH HEAVY METALS AND PAH'S AT THE YEPPOON LANDFILL AT YEPPOON ROCKHAMPTON ROAD ROCKHAMPTON.					
18/04/2012	luckeg				
SITE RECLASSIFIED TO BP, AS TPR ADVISED FORM REPORTS; URS REPORT, THIRD PARTY REVIEW SUMMARY AND CERTIFICATION REPORT, 23 JAMES STREET YEPPOON (PART OF LOT1 SP217651), PREPARED FOR QUEENSLAND RAIL LIMITED, PROPERTY DIVISION, ISSUED 29 MARCH 2012, REFERENCE 42626219. GEOENVIRONMENTAL CONSULTANTS REPORT, STAGE 4 ENVIRONMENTAL SITE ASSESSMENT, REMEDIATION/VALIDATION - PROPOSED REDEVELOPMENT FORMER SERVICE STATION, 23 JAMES STREET YEPPOON QUEENSLAND. (PART LOT1 ON SP217651), PREPARED FOR QUEENSLAND RAIL JANUARY 2012, REF NO. 5019/33. RECOMMENDATION, ON THE BASIS OF THE INFORMATION PROVIDED IN THE OTEK AND GEOENVIRONMENTAL CONSULTANTS REPORTS AND BASED ON THE ASSUMPTION THAT ALL ANALYTICAL RESULTS PROVIDED ARE ACCURATE AND REPRESENTATIVE OF SITE CONDITIONS, THE TPR SUPPORTS GEOENVIRONMENTAL CONSULTANTS' CONCLUSION THAT THE SERVICE STATION AREA IS SUITABLE FOR UNRESTRICTED SUE. IF IN THE FUTURE THE SERVICE STATION AREA IS PROVIDED WITH ITS OWN PROPERTY DESCRIPTION, THE SERVICE STATION AREA COULD BE REMOVED FROM THE EMR. HOWEVER, SINCE THE SERVICE STATION AREA REMAINS PART OF A LARGER PARCEL THAT HAS HAD HISTORICALLY BEEN USED FOR A NOTIFIABLE ACTIVITY AND IS AFFECTED BY HAZARDOUS CONTAMINANTS, LOT1 SP217651 MUST REMAIN OON THE EMR.					
18/04/2012	luckeg				
NP TO BP PRINT NOTICE					
18/04/2012	luckeg				
NP TO BP PRINT NOTICE					
18/04/2012	luckeg				

Create Date	User ID	Corr No	Officer Name	Date Final	How Finalized
PRINT NOTICES					
18/04/2012	moffatw				
29/09/2015	luckeg				
CATEGORY CHANGE HAZ CONTAM TO NOTIFIABLE ACTIVITY AS MULTIPLE NA'S AND HAZ CONTAM ON SITE.					
27/03/2020	wheated				
REZONING OF LGA. SITE HAS NOW BEEN REZONED FROM ROCKHAMPTON RC TO LIVINGSTONE RC.					

Published on DESI Disclosure Log
RTI Act 2009



**Queensland
Government**

Queensland Government
ABN 46 640 294 485
Contaminated Land Unit Level 7 400 George St Brisbane, Queensland 4001
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
Telephone (07) 3330 5685 Facsimile (07) 3330 5634
http://www.derm.qld.gov.au/environmental_management/land/contaminated_land/

18 April 2012

Site ID: 81442
File Number: *BNE 24618*
Enquiries to: contaminated.land@derm.qld.gov.au

Queensland Rail
GPO Box 1429
BRISBANE QLD 4001

cc - GeoEnvironmental Consultants
- URS Australia Pty Ltd

NOTICE OF LAND LISTED ON THE ENVIRONMENTAL MANAGEMENT REGISTER

In accordance with section 374 of the *Environmental Protection Act 1994 (EP Act)* notice is given that the parcel of land described below has been listed on the Environmental Management Register (EMR).

Lot: 1 Plan: SP217651
Rockhampton Regional Council

23 JAMES STREET
YEPPOON QLD 4703

The parcel of land has been recorded on the EMR as, after careful consideration of submissions, it is decided that the land has been, or is being used, for the following notifiable activities pursuant to section 374 of the *EP Act*. Notifiable activities are mainly industrial/commercial activities that have been known to cause contamination of land and refer to both past and current activities.

SERVICE STATIONS -

Operating a commercial service station.

HAZARDOUS CONTAMINANT -

This site has been subject to a hazardous contaminant - Possible high arsenic levels along rail corridor.

Refer to the summary given below.

Conclusions being drawn from reports provided by;

- URS Australia Pty Ltd, Third Party Review Summary and Certification Report, 23 James Street Yeppoon (part of Lot1 SP217651), prepared for Queensland Rail Limited, property division, issued 29 March 2012, Ref# 42626219.
- GeoEnvironmental Consultants Pty Ltd, Stage 4 Environmental Site Assessment, Remediation/Validation - proposed redevelopment former service station, 23 James Street Yeppoon Queensland. (part Lot1 SP217651), prepared for Queensland Rail January 2012, Ref# 5019/33.
- OTEK Australia Pty Ltd, Environmental Site Assessment, former service station 23 James Street Yeppoon QLD 4703. Date issued 7 April 2006. Ref# 5106033.

Recommendation;

- On the basis of the information provided in the reports and based on the assumption that all analytical results provided are accurate and representative of site conditions, the TPR supports GeoEnvironmental Consultants' conclusion that the service station area is suitable for R unrestricted use.

- If in the future the service station area is provided with its own property description, the service station area could be removed from the EMR. However, since the service station area remains part of a larger parcel that has had historically been used for a "notifiable activity" and is affected by "hazardous contaminants", Lot1 SP217651 must remain on the EMR.

The owner may apply for a review of the decision to record the land in the EMR within 10 business days after receipt of this notice, in accordance with section 521 of the *EP Act*. If you decide to apply for a review you must, in accordance with section 521(3), also give notice to the local government that you are seeking a review. You must forward to the local government the following documents:

- a notice of the application (the "review notice");
- a copy of the application and supporting documents.

The review notice must inform the local government that submissions on the application may be made within 5 business days after the application is made to the DERM, as required by section 521(4) of the *EP Act*. A land owner dissatisfied with a review decision may appeal against the decision in accordance with section 531 of the *EP Act*. A copy of sections 521 and 531 is attached to this notice.

Please note that the listing of a site on the EMR does not imply that the DERM considers the site to be "contaminated", nor does it require that the land be investigated and remediated. The listing does not imply that this site is unsuitable for its current use, nor does it imply that you are in breach of any conditions set out in any existing Development Approval issued for this site. Remediation would be needed if there were evidence that the site presented an unacceptable health or environmental risk for its current use. In the event that the site is redeveloped, the DERM may require that remediation or management of any contamination be conducted to protect public health and the environment.

It should also be noted that, with the issuing of this Notice under section 374, the following requirements apply under section 421 of the *EP Act*.

If the owner proposes to dispose of the land to someone else, the owner must, before agreeing to dispose of the land, give written notice to the buyer that the particulars of the land have been recorded in the register.

Further information about contaminated land matters may be obtained by visiting our web-site at: http://www.derm.qld.gov.au/environmental_management/land/contaminated_land/

CTPI 49-Sch4

 Wendy Moffat
Registrar
Delegate of Administering Authority
Environmental Protection Act 1994

Extract from the *Environmental Protection Act 1994*

Procedure for review

521. (1) A dissatisfied person may apply for a review of an original decision.
- (2) The application must—
- (a) be made in the approved form to the administering authority within—
 - (i) 14 days after the day on which the person receives notice of the original decision or the administering authority is taken to have made the decision (the "review date"); or
 - (ii) the longer period the authority in special circumstances allows; and
 - (b) be supported by enough information to enable the authority to decide the application.
- (3) On or before making the application, the applicant must send the following documents to the other persons who were given notice of the original decision—
- (a) notice of the application (the "review notice");
 - (b) a copy of the application and supporting documents.
- (4) The review notice must inform the recipient that submissions on the application may be made to the administering authority within 7 days after the application is made to the authority.
- (5) If the administering authority is satisfied the applicant has complied with subsections (2) and (3), the authority must, within 14 days after receiving the application—
- (a) review the original decision; and
 - (b) consider any submissions properly made by a recipient of the review notice; and
 - (c) make a decision (the "review decision") to—
 - (i) confirm or revoke the original decision; or
 - (ii) vary the original decision in a way the administering authority considers appropriate.
- (6) The application does not stay the original decision.
- (7) The application must not be dealt with by—
- (a) the person who made the original decision; or
 - (b) a person in a less senior office than the person who made the original decision.
- (8) Within 14 days after making the review decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.
- (9) The notice must—
- (a) include the reasons for the review decision; and
 - (b) inform the persons of their right of appeal against the decision.
- (10) If the administering authority does not comply with subsection (5) or (8), the authority is taken to have made a decision confirming the original decision.
- (11) Subsection (7) applies despite the *Acts Interpretation Act 1954*, section 27A.¹⁰⁷
- (12) This section does not apply to an original decision made by—
- (a) for a matter, the administration and enforcement of which has been devolved to a local government—the local government itself or the chief executive officer of the local government personally; or
 - (b) for another matter—the chief executive personally.

Who may appeal

531. (1) A dissatisfied person who is dissatisfied with a review decision, other than a review decision to which subdivision 1 applies, may appeal against the decision to the Court.
- (2) The chief executive may appeal against another administering authority's decision (whether an original or review decision) to the Court.
- (3) A dissatisfied person who is dissatisfied with an original decision to which section 521 does not apply may appeal against the decision to the Court.



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18 April 2012

Site ID: 81442

File Number: *BNE 24618*

Enquiries to: contaminated.land@derm.qld.gov.au

The Chief Executive Officer
Rockhampton Regional Council
PO Box 1860
ROCKHAMPTON QLD 4700

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SERVICE STATIONS -

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HAZARDOUS CONTAMINANT -

This site has been subject to a hazardous contaminant - Possible high arsenic levels along rail corridor.

Conclusions being drawn from reports provided by;

- URS Australia Pty Ltd, Third Party Review (TPR) Summary and Certification Report, 23 James Street Yeppoon (part of Lot1 SP217651), prepared for Queensland Rail Limited, property division, issued 29 March 2012, Ref# 42626219.
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Recommendation;

- On the basis of the information provided in the reports and based on the assumption that all analytical results provided are accurate and representative of site conditions, the TPR supports GeoEnvironmental Consultants' conclusion that the service station area is suitable for unrestricted use.
- If in the future the service station area is provided with its own property description, the service station area could be removed from the EMR. However, since the service station area remains part of a larger parcel that has had historically been used for a "notifiable activity" and is affected

by "hazardous contaminants", Lot1 SP217651 must remain on the EMR.

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http://www.derm.qld.gov.au/environmental_management/land/contaminated_land/

CTPI 49-Sch4

 Wendy Moffat
Registrar
Delegate of Administering Authority
Environmental Protection Act 1994

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Officers Assessment Report and Register Actions

Note: Project Due Time Frames.

1. Date received at PALM 5 April 2012
2. Due Date: 16 April 2012.
3. Register Due Date: 5 days from the date of the decision to issue the notices

5 April 2012

Subject: Site Investigation report
Lot 1 on SP217651
EMR: Railway Yard and Service Station
- File no. – BNE24618-5

Objectives of report

Retain Lot 1 on SP217651 on the EMR but include a notation that the former service station area on this lot is suitable for unrestricted use..

Site description/ Site History

Site listed for railway yard and service station.

Potential Contaminants

Poly Aromatic Hydrocarbons (PAH) and heavy metals.

Sampling Programme

The sampling programme was conducted in accordance with the Draft Guidelines for the *Assessment and Management of Contaminated Land in Queensland (1998)*. The required sampling programme was suitable to identify the relevant contaminants on site.

Validation testing of the Site

- Attached is **Appendix 1** is the over all sampling results of the site and the **sampling plan** locations.
- The levels of contaminations indicated in appendix 1 are below the threshold levels which **are below** the recommended levels under *National Environment Protection (Assessment of Site Contaminated) Measures 1999*.
- The report preparer is a suitably qualified practitioner who meets the definitions under section 381 of *Environmental Protection Act 1994*.
- The report has been reviewed by Third Party Reviewer Toni Groves (TPR) who has endorsed the investigation findings recommended by Robyn Bolton-Grob from OTEK Australia Pty Ltd.

Recommendations

Based on the information supplied I agree with the conclusions of the report and recommend that **Lot 1 on SP217651** remain on the EMR for Railway Yard with a notation on the EMR and included in the notice to the land owner that the site of the former service station on this lot is suitable for unrestricted use.

R

Paul Ritchie
Team Leader (Contaminated Land Unit)

16 April 2012

CTPI 49-Sch4

Sign: _____

Date received at PALM 5 April 2012

Due Date (20 Business Days After the Application is Deemed Valid): 16 April 2012.

Delega CTPI 49-Sch4

Sign: _____

Date: 17/4/12

Please Note:

If the delegate approves the above removal then register may proceed in issuing the necessary documentation for Lot 1 on SP217651 remain on the EMR for Railway Yard with a notation on the EMR and included in the notice to the land owner that the site of the former service station on this lot is suitable for unrestricted use.

Attention Register:

Note: Due Date is 8 days after the decision is made to issue the notices.