

SMOLKOVA-BISMARCK Angelina

From: SMOLKOVA-BISMARCK Angelina
Sent: Wednesday, 15 May 2019 9:41 AM
To: b4(6) Personal inform@mcilwain.com'
Cc: EMR CLR Registry
Subject: Duty to notify Lot 1051 SP289459
Attachments: EDOCS-#7943576-v1-
LETTER_Notification_Haz_Cont_Bapaume_road_reserve_Tarragindi_No_listing.PDF

Good morning b4(6) Personal inform

Please find attached a letter advising of the decision about Lot 1051 on SP289459.

Should you have any questions, please let me know.

Kind regards,
Angelina



Queensland
Government

Angelina S. Bismarck
Principal Environmental Officer
Waste and Contaminated Land Assessment
Waste Operations | Waste and Recovery
Department of Environment and Science

P 07 3330 5681
Level 7, 400 George Street Brisbane Q 4000
PO Box 2554 GPO Brisbane Q

Your ref: Notice – Duty to Notify Environmental Harm, Lot 1051 SP289459
Our ref: 101/0030078

10 May 2019

ch4p4(6) Personal information

Mcilwain
PO Box 47
MORNINGSIDE QLD 4170

Email: p4(6) Personal inform@mcilwain.com

Dear (6) Personal info

RE: Notice of Duty to Notify Environmental Harm (the Notice).
Site: 113 Messine Ridge Road, Holland Park West, Queensland, described as Lot 1051 on SP289459

I would like to advise you that the officers of the Waste and Contaminated Land Assessment team (WCLA) considered the Notice and supporting information submitted on 5 April 2019.

Following consideration of the submission under section 371(b) of the *Environmental Protection Act 1994*, the Department of Environment and Science (DES) is not satisfied that the land is contaminated land. As the land is already listed in the Environmental Management Register (EMR) for the notifiable activity of Landfill, DES will keep a record of your notification; however, will not make any changes to the existing listing of land on the EMR.

Should you have any questions related to the above, please contact Mrs Angelina Bismarck of Waste and Contaminated Land Assessment on telephone 3330 5681 or via e-mail angelina.smolkova-bismarck@des.qld.gov.au

Yours sincerely,

sch4p4(6) Personal information

Scott Blanchard
Manager - Waste and Contaminated Land Assessment
Waste Operations | Waste and Recovery
Department of Environment and Science

NOTIFICATION ASSESSMENT REPORT

Contaminated Land Assessment "hazardous contaminant"

This assessment report is for decisions made under s371(b) of the Environmental Protection Act 1994 (the Act).

1 Project Details:

CR Ref: AR114842
Edocs No: 101/0030078
Address Details: Bapaume Road Reserve, 153 Bapaume Road, Tarragindi, Qld
Real Property Description: Lot 1051 SP289459
Administration Requirement: s371(b) of the EP Act- Administering Authority

2 Properly Made Submission Check:

Item	Details
Submission Information Received/Dated:	5/04/2019
Form Completed Correctly: <i>Note: "Sufficient information must be supplied in the notification application".</i>	Yes The Notice – Duty to notify of environmental harm - was completed by an occupier of land and signed on 29 March 2019.
Lot on Plan listed on EMR/CLR:	Yes Notifiable activity: NA 20 - Landfill
Following reports/plans/evidence considered:	Report Duty to Notify of environmental harm form Asbestos Clearance Certificate

Page 1 of 3 •

Department of Environment and Science-(File Ref: Edocs 101/0028978), Doc No_Haz_Contam_03, Version: <01>, Review Date: <Dec 2018>

<G:\Environmental Services\Contaminated Land\Business Review\Business Document Review Master Folder\2.0_EMR_Documents>

3 Administration Review

The grounds for including the site in the Environmental Management Register under s371(b) EP Act are detailed in the following table.

Legislation references	Contaminated Land assessment
<p>Sesction 371(b) Grounds for including land in environmental management register The administering authority may record particulars of land in the environmental management register at any time if the authority is satisfied— (b) the land is contaminated land.</p> <p>Sch 4 of the EP Act land includes— (a) the airspace above land; and (b) land that is, or is at any time, covered by waters; and (c) waters.</p> <p>Sch 4 of the EP Act Contaminated land means land contaminated by a hazardous contaminant”.</p> <p>Sch 4 of the EP Act hazardous contaminant means a contaminant, other than an item of explosive ordnance, that, if improperly treated, stored, disposed of or otherwise managed, is likely to cause serious or material environmental harm because of— (a) its quantity, concentration, acute or chronic toxic effects, carcinogenicity, teratogenicity, mutagenicity, corrosiveness, explosiveness, radioactivity or flammability; or (b) its physical, chemical or infectious characteristics.</p>	<p>The administering authority is the Department of Environment and Science.</p> <p>Based on evidence and circumstances listed below the site (Lot 1051 SP289459) is not contaminated land.</p> <ul style="list-style-type: none"> – The site is on the EMR for NA 20 - Landfill. – Information provided in the Duty to Notify form states that approx. 50m³ of asbestos contaminated fill from the TMR project site was unintentionally stockpiled on Lot 1051 SP289459, which is within the project footprint, and also TMR land. – On the same day the error was realised, works were stopped and the stockpile was covered in geofabric and barricaded off. – Octief was commissioned to review the stockpile management, to supervise further removal of the asbestos contaminated soil and to conduct asbestos clearance inspections. – All asbestos impacted soil was transported to Cleanaway under the SDP CLEB06600118. – Asbestos Clearance Certificate was issued for the site. – Asbestos do not have properties to leach into the ground.

4 Delegate Decision

	<p>Recommendations for including land in the relevant land register under s371(a) of the Act.</p> <p><i>"If the administering authority proposes to record particulars of land in a relevant land register".</i></p>	
<p>Assessing Officer: Angelina Bismarck</p>	<p><u>Recommendation:</u></p> <p>☒ Recommend to advise the notifier that no changes to the EMR will be made, because there is no evidence that Lot 1051 SP289459 is contaminated land.</p>	<p>Date: 01/05/2019</p> <p>Signed sch4p4(6) Personal information</p>
<p>Reviewing Officer: James Dun</p>	<p><u>Recommendation:</u></p> <p>☒ Agree with recommendation ☐ Disagree with recommendation</p>	<p>Date 2/5/2019</p> <p>Signed p4(6) Personal information</p>
<p>Delegate Scott Blanchard (Manager)</p>	<p><u>Decision:</u></p> <p>☒ Agree with recommendation ☐ Disagree with recommendation</p>	<p>Date: 10/5/19</p> <p>Signed sch4p4(6) Personal information</p>

5 Process for including land in relevant land register

Register Actions	Instructions for registrar to assist with registry and administration tasks	
<p>Show cause notice to be given to owner of land under s375 of the Act.</p>	<p>No action required at this time.</p>	<p>Details: Based on evidence provided, the site (Lot 1051 SP289459) is not contaminated land.</p>



Department of Environment and Science (DES)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
www.des.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50524465 EMR Site Id: 163261 10 April 2019
This response relates to a search request received for the site:
Lot: 1051 Plan: SP289459

EMR RESULT

The above site IS included on the Environmental Management Register.

The site you have searched has been subdivided from the following site, which IS included on the EMR or the CLR.

Lot: 759 Plan: SL9433
Address: 153 BAPAUME ROAD
TARRAGINDI QLD 4121

The site has been subject to the following Notifiable Activity or Hazardous Contaminant.
LANDFILL - disposing of waste (excluding inert construction and demolition waste).

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if DES has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if DES has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

Notice

Environmental Protection Act 1994

Duty to notify of environmental harm

This form is to be used for notifying the administering authority about events or changes in condition of land causing or threatening serious or material environmental harm, in accordance with the duty to notify provisions contained in sections 320 to 320G, Chapter 7 Part 1 of the Environmental Protection Act 1994 (the EP Act).

This Notice should be completed having regard to the guidance in:

- Guideline: The duty to notify of environmental harm (ESR/2016/2271)
- Guideline: The duty to notify for contaminated land (ESR/2016/2155)¹

The details provided should address the nature of the event or change in condition as relevant. The notice should be completed as fully as practicable in the circumstances. Indicate any sections of the notice that are not applicable or for which information is not currently available.

If a notice is being given with respect to a notifiable activity, the Template for giving written notice about a notifiable activity (ESR/2015/1845) should be used. Circumstances could arise in which notice of a related event or change in condition of land also needs to be provided.

Office use only

Date entered in Ecotrack:		Relevant regional manager:	
Ecotrack reference number:		Date sent to regional manager:	
Relevant regional area:		Officer actioning this item:	

1. Person giving notice

NAME p4(6) Personal informa	TELEPHONE (BUSINESS HOURS) 4p4(6) Personal informa
	TELEPHONE (AFTER HOURS)
COMPANY/ORGANISATION NAME (IF APPLICABLE) Mcilwain	
POSITION IN COMPANY/ORGANISATION (IF APPLICABLE)	
POSTAL ADDRESS PO Box 47	

¹ Guidelines area available at www.qld.gov.au using the publication number as a search term.

Notice
Duty to notify of environmental harm

Morningside, QLD, 4170	
EMAIL b4(6) Personal inform@mcilwain.com	FACSIMILE

2. Who is giving notice about an event or change of condition

2.1. In what capacity are you giving notice?

Tick relevant box

- I am the owner of the land ☐
- I am an occupier (e.g. lessor or tenant) of the land ☒
- I am a representative of a local government ☐
- I am an auditor performing an auditor's function under EP Act ☐
- I am an employer ☐
- I am an employer of someone carrying out an activity ☐
- I am an employee carrying out an activity and have not been able to contact my employer ☐
- Other (specify) ☐

2.2. Please provide details of your involvement

For example, what is your involvement as an employer or employer or as a representative of a local government?

Environmental Representative of Construction Company

3. Details of the affected land where the event or change in condition has occurred

3.1. Please provide details of the lot and plan description at which the event or change in condition has taken place (and full street address if available).

NAME BY WHICH THE PROPERTY IS KNOWN BAPAUME ROAD ROAD RESERVE	
FULL STREET ADDRESS OF THE SITE 153 BAPAUME ROAD, TARRAGINDI QLD 4121	
ANY OTHER INFORMATION THAT WILL ASSIST IN QUICKLY LOCATING THE LOCATION WHERE AN EVENT OR ACTIVITY HAS OCCURED	
LOT(S) 1051	PLAN(S) SP289459
GRID REFERENCES NORTHING	EASTING
LOCAL GOVERNMENT AUTHORITY BRISBANE CITY COUNCIL	

3.2. Is a map or locality plan attached to this notification?

☐ No ☒ Yes

A map or locality plan that shows the affected land may greatly assist the processing of this notification.

3.3. Is the affected land the origin of contamination or area harmed or both?

Is the affected land (as described above) the land on which the contamination originated, caused harm (impacts) or both?

☐ Origin ☒ Harmed ☐ Both

4. Activity that has led to the event or change in condition

4.1. Nature of activity

- Is the activity a notifiable activity listed under Schedule 3 of the EP Act (if it is then use the template ESR/2015/1845) or another activity that has caused or may cause serious or material environmental harm? ☐ Notifiable ☐ Other
- Is the change in the land due to it being affected by a hazardous contaminant? ☒ Yes ☐ No
- Is the activity a resource activity? ☐ Yes ☒ No
- Is the activity currently occurring or did it occur previously? ☒ Current ☐ Previous

4.2. Describe the nature of the activity

If you require additional space attach the information on a separate sheet and make reference to that sheet here.

During construction asbestos contaminated fill has discovered at 172 Birdwood Road Holland Park West (lot 11 SP150691), and McIlwain has been working with Octief to obtain a soil disposal permit and dispose the asbestos contaminated soil from the project. Lot 11 is land under the control of TMR.

In January 2019 a quantity of the contaminated soil was sent to the Cleanaway Landfall as per the soil disposal permit supervised by Octief. On Feb 8 2019 a quantity soil (approx. 50m3) from the above lot was unintentionally removed from this lot and stockpiled to lot 1051 SP289459. Lot 1051 is within the project footprint, and also TMR land. When this was realised on Feb 8, works were stopped and the stockpile was covered in geofabric and barricaded off. This quantity of soil was to be included within the original soil disposal permit of 450m3. Lot 1051 is recorded on the EMR, but not the contaminated land register.

4.3. State whether the primary activity that led to the event was being carried out under:

- an environmental protection policy ☐ Yes
- a transitional environmental program ☐ Yes
- an environmental protection order ☐ Yes
- an environmental authority (use ESR/2015/1845) ☐ Yes

- a development condition of a development approval ☐ Yes
- a prescribed condition for carrying out a small scale mining activity ☐ Yes
- an emergency direction ☐ Yes
- an accredited environmental risk management plan ☐ Yes

4.4. Please provide the identifying details of the relevant approval or authority for carrying out the activity (if known). If possible attach a copy of the relevant document.

The original activity was conducted according to soil disposal permit CLEB06600118

5. Special requirement for resource activities (petroleum and gas, geothermal and greenhouse gas storage activities but not a mining activity)

Does this notice relate to notification of an event that has occurred while carrying out a resource activity that has:

- negatively affected, or is reasonably likely to negatively affect, the water quality of an aquifer; or ☐ No ☐ Yes
- has caused the connection of two or more aquifers ☐ No ☐ Yes

6. Nature and circumstances of how event has occurred

If it is an event involving the release of contaminants that is being notified, the following information should be provided

6.1. Describe the circumstances in which the event has occurred.

Please provide details of the circumstances that led up to the event, any factors that may make the effects of the event worse, any preventive measures or cleanup up action taken and any other matters that may be relevant. If you require additional space attach the information on a separate sheet and make reference to that sheet here.

In January 2019 a quantity of the contaminated soil was sent to the Cleanaway Landfall as per the soil disposal permit supervised by Octief. On Feb 8 2019 a quantity soil (approx. 50m3) from the above lot was unintentionally removed from this lot and stockpiled to lot 1051 SP289459. Lot 1051 is within the project footprint, and also TMR land. When this was realised on Feb 8, works were stopped and the stockpile was covered in geofabric and barricaded off. This quantity of soil was to be included within the original soil disposal permit of 450m3. Lot 1051 is recorded on the EMR, but not the contaminated land register.

6.2. Provide any additional information that may be relevant to this notification of an event

If additional space is required attach the information on a separate sheet and make reference to that sheet here.

Octief have subsequently supervised the removal of this stockpile and disposal as contaminated waste and providing a clearance report to state that no ACM is remaining in this location.

6.3. Event type:

- | | | | |
|--------------------------------|------------------------------------|--|--|
| ☐ Spill | ☐ Discharge | ☐ Leakage | ☐ Exposure/uncovering |
| ☐ Fire | ☐ Fishkill | ☒ Other <u>Stockpiling</u> | |

6.4. Source of release:

- | | | | |
|---|--|---|---|
| ☐ Vehicle spill | ☐ Vessel spill | ☐ Pipeline breach | ☐ Dam/pond failure |
| ☐ Drain outlet | ☐ Bulk/tank | ☐ Vessel sinking | ☒ Dumping |
| ☐ Sewage discharge | ☐ Industrial activity | ☐ Cattle/sheep dip | ☐ Horticulture |
| ☐ Excavation | ☐ Landfill | ☐ Other _____ | |

6.5. Contaminants (if known):

- | | | | |
|--|---|---------------------------------------|--|
| ☐ Solid chemicals | ☐ Liquid chemicals | ☐ Hydrocarbons | ☐ Gas/vapour |
| ☐ Pesticide/herbicide | ☐ Nutrients | ☐ BOD/COD | ☐ Dangerous goods |
| ☒ Other <u>Asbestos contaminated earth</u> | | | |

6.6. Details of contaminants (if known):

Substance(s): Asbestos

Quantity: _____ Litres/Kilograms/Tonnes/<other>

Area/extent affected: _____ m by _____ m

7. Change in condition of land

If it is a change in the condition of land that is being notified, the following information should be provided

7.1. Nature of change in the condition of the land (that has caused or is reasonably likely to cause or involve serious or material environmental harm)

- | | | |
|---|--|------------------------------|
| • Dispersal of contaminants in soil | ☒ No | ☐ Yes |
| • Dispersal of contaminants in groundwater | ☒ No | ☐ Yes |
| • Dispersal of contaminants in surface waters | ☒ No | ☐ Yes |
| • Accumulation of gases or vapour in soil or structures | ☒ No | ☐ Yes |

- Change in surface features (e.g. vegetation)

☒ No

☐ Yes

7.2. Details of change in the condition of the land

Describe what the change in condition involves

All materials have been contained and removed from site. No change occurred.

If additional space is required attach the information on a separate sheet and make reference to that sheet here.

7.3. Cause of change in condition (if known)?

Describe the known factors that have led to the change in condition

If additional space is required attach the information on a separate sheet and make reference to that sheet here.

7.4. Timeframe of change in condition

Outline what is known of the timeframe in which the change in condition has occurred

7.5. Type of environment affected:

What is the type of environment that has been affected by an event or change in condition?

- | | | | |
|--|--------------------------------------|--------------------------------------|-------------------------------------|
| ☐ Waterway/drain | ☐ Marine | ☐ Estuarine | ☐ Freshwater |
| ☒ Land contamination | ☐ Urban area | ☐ Air/fallout | ☐ Vegetation |
| ☐ Protected area | ☐ Other _____ | | |

8. How and when did you become aware of the event or change of condition

8.1. What was the source of information about the event or change in condition

- own observation ☐ Yes
- information provided by a person with relevant competencies ☒ Yes
- information provided by an employee ☐ Yes

8.2. When did you first became aware of the event or change in condition for which notice is given

TIME	DATE 11/02/2019
------	--------------------

9. Details of registered owners or occupiers of affected land to which notice has been given

Note: Registered owners or occupiers of affected land do not need to be notified before notifying the administering authority.

9.1. Have any registered owners or occupiers of affected land been notified of this incident?

☐ No

☒ Yes (provide details of the occupiers and registered owners of land affected, or potentially affected, by this incident including details of how notice to those persons was given)

NAME Department of Transport and Main Road	TELEPHONE
POSTAL ADDRESS	
DESCRIPTION OF HOW NOTICE WAS GIVEN email notification of this stockpile given to contract administration team and environmental team.	

If you require additional space you may attach the information on a separate sheet.

10. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge. I understand that it is an offence under s. 480 of the *Environmental Protection Act 1994* to give to the administering authority or an authorised person a document containing information that I know is false, misleading or incomplete in a material particular.

I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

NOTIFYING PERSON'S SIGNATURE 	TIME / DATE 29/03/2019
---	---------------------------

11. Sending the written notice

Please return the completed notice to Permit and Licence Management at the Department of Environment and Science by:

Pollution hotline 1300 130 372

AND written notification via email, fax or registered post:

Email: <pollutionhotline@des.qld.gov.au>

Fax: (07) 3330 5875

Note: Include '**Duty to notify of environmental harm**' in the subject line of the fax or email and attach a completed copy of the template.

Registered post:

Permit and Licence Management
Department of Environment and Science
GPO Box 2454
Brisbane QLD 4001

release

12. Phoning the pollution hotline

In addition to providing the written notice if you become aware of a matter which has caused or threatens serious or material environmental harm you should immediately call the pollution hotline on **1300 130 372** and report the matter. Reporting the matter through the pollution hotline allows the administering authority to take necessary measures to prevent further harm and to mitigate the effects of an incident or event.

In addition to notifying the administering authority, and where that is not the relevant local government, it is good practice to notify the local government for the area where the event has occurred.

13. Further information

The latest version of this publication is available at www.qld.gov.au using the publication number ESR/2015/2230 as a search term or by contacting Permit and Licence Management on 13 QGOV (13 74 68).

Privacy statement

The Department of Environment and Science (DES) will use the personal information collected on this form to investigate an incident that potentially caused or threatened to cause serious or material environmental harm, as provided for under ss. 320 -320G of the *Environmental Protection Act 1994*. The information will only be accessed by authorised employees within DES. The information provided on this form will not be otherwise be used or disclosed unless required or authorised by law. For information about privacy matters email: For queries about privacy matters email: privacy@des.qld.gov.au or telephone: 13 74 68.

From: [sch4p4(6) Personal information]@mcilwain.com>
Sent: Monday, 11 February 2019 4:00 PM
To: InfoDES
Subject: Soil Disposal Permit - CLEB06600118

Hi

I would like to provide an update on soil disposal permit CLEB06600118.

Mcilwain is working on a construction project on behalf of the Department of Transport and Main Road. During construction asbestos contaminated fill has discovered at 172 Birdwood Road Holland Park West (lot 11 SP150691), and Mcilwain has been working with Octief to obtain a soil disposal permit and dispose the asbestos contaminated soil from the project. Lot 11 is land under the control of TMR.

In January 2019 a quantity of the contaminated soil was sent to the Cleanaway Landfall as per the soil disposal permit supervised by Octief. On Feb 8 2019 a quantity soil (approx. 50m3) from the above lot was unintentionally removed from this lot and stockpiled to lot 1051 SP289459. Lot 1051 is within the project footprint, and also TMR land. When this was realised on Feb 8, works were stopped and the stockpile was covered in geofabric and barricaded off. This quantity of soil was to be included within the original soil disposal permit of 450m3. Lot 1051 is recorded on the EMR, but not the contaminated land register.

Octief have been engaged to review the stockpile management, and will supervise further removal of this asbestos soil and clearance inspections.

Mcilwain has wanted to inform DES of this and ask for further advice on the requirement for any additional soil disposal permits.

Could you please contact [sch4p4(6) Personal information] to discuss further.

Regards, [Personal information]

Regards,



[p4(6) Personal inform] | **HSE Advisor**
Creating community assets since 1961
M. [p4(6) Personal informat] T. 07 3348 8199 F. 07 3390 4775
E. [p4(6) Personal infor]@mcilwain.com W. <http://www.mcilwain.com>
A. First Floor, 1283 Lytton Road P. PO Box 47,
Hemmant, Qld, 4174 Morningside, Qld, 4178

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The content of this e-mail and any attachment may be private and confidential, intended only for use of the individual or entity named. If you are not the intended recipient of the message you must not read, forward, print, copy, disclose, use or store in any way any of the information this e-mail or any attachment/s. If you are not the intended recipient, please notify the sender immediately and delete or destroy all copies of this e-mail and any attachments. The sender is not liable for any viruses present in this e-mail or in any attachment/s.

Think before you ink.

From: [redacted]@mcilwain.com>
Sent: Friday, 5 April 2019 10:28 AM
To: MCKENZIE Ben
Cc: ES Compliance - Brisbane Moreton; Joseph Leung
Subject: RE: CR90780 - Soil Disposal Permit - CLEB06600118 (Permit Breach)
Attachments: J10399_CLR_Mcilwain 03.04.2019.pdf

Hi Ben

As discussed yesterday, on Friday 8th of February, existing materials which was prior deemed as potentially asbestos contaminated materials was removed and stockpiled outside of the soil disposal permit conditions. Once this mistake was realised, the stockpile was covered in geofabric, and works were ceased.

Octief were notified and inspected the stockpile on Monday 11 February. Asbestos fragments were discovered during this inspection. The stockpile was covered in geofabric and cordoned off from access. The stockpile areas was out of any drainage line, and there was no risk to run off or dust contamination. We raised an internal NCR and adjusted our exaction procedure/plans.

On 22 March and 25 March Octief monitored the removal of this stockpile (supervised by licenced asbestos removalists BE Plant Hire). The stockpile was disposed to Cleanaway New Chum. Octief have provided a clearance report from this area to note that all of the stockpile was removed and no contamination remains in this area. This report and waste transfer certificates are attached.

If you have any further questions, please let me know. Regards, Simon

Regards,



[redacted] HSE Advisor
Creating community assets since 1961
M. [redacted] T. 07 3348 8199 F. 07 3390 4775
E. [redacted]@mcilwain.com W. <http://www.mcilwain.com>
A. First Floor, 1283 Lytton Road P. PO Box 47,
Hemmant, Qld, 4174 Morningside, Qld, 4178

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The content of this e-mail and any attachment may be private and confidential, intended only for use of the individual or entity named. If you are not the intended recipient of the message you must not read, forward, print, copy, disclose, use or store in any way any of the information this e-mail or any attachment/s. If you are not the intended recipient, please notify the sender immediately and delete or destroy all copies of this e-mail and any attachments. The sender is not liable for any viruses present in this e-mail or in any attachment/s

Think before you ink.

From: MCKENZIE Ben <Ben.McKenzie@des.qld.gov.au>
Sent: Thursday, 4 April 2019 1:57 PM
To: [redacted]@mcilwain.com>
Cc: ES Compliance - Brisbane Moreton <ESComplianceBrisbaneMoreton@des.qld.gov.au>
Subject: RE: CR90780 - Soil Disposal Permit - CLEB06600118 (Permit Breach)

Good afternoon [redacted]

Thanks for your time on the phone earlier.

As discussed the Brisbane/Moreton Bay Compliance Centre of DES is focussing on the apparent contravention of soil disposal permit CLEB06600118 (attached).

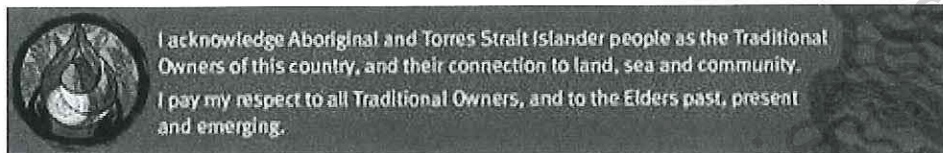
Could you please forward a copy of Octief's asbestos clearance report, and any additional material which may assist the department in understanding how this incident occurred and was managed, including any mitigating circumstances surrounding the event(s).

Regards
Ben



Ben McKenzie
Team Leader
Southeast Queensland Compliance | Brisbane/Moreton Bay
Environmental Services and Regulation
Department of Environment and Science

P 07 3330 6329
Level 8, 400 George St, BRISBANE QLD 4000
4, BRISBANE QLD 4001
www.ehp.qld.gov.au



From: [sch4p4\(6\) Personal information](#) <[sch4p4\(6\) Personal information@mcilwain.com](mailto:sch4p4(6) Personal information@mcilwain.com)>
Sent: Friday, 29 March 2019 9:38 AM
To: Pollution Hotline
Subject: Soil Disposal Permit - CLEB06600118

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Octief have subsequently supervised the removal of this stockpile and disposal as contaminated waste and providing a clearance report to state that no ACM is remaining in this location.

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Could you please contact [sch4p4\(6\) Personal information](#) to discuss further.

Regards, Personal in

Regards,



Simon Kunde | HSE Advisor

Creating community assets since 1961

M. 4p4(6) Personal informat T. 07 3348 8199 F. 07 3390 4775

E. 4p4(6) Personal informat@mcilwain.com W. <http://www.mcilwain.com>

A. First Floor, 1283 Lytton Road P. PO Box 47,
Hemmant, Qld, 4174 Morningside, Qld, 4178

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Think before you ink.

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ASBESTOS CLEARANCE CERTIFICATE

Client: MCILWAIN
Client Contact:
Client Email:
Client Phone:

sch4p4(6) Personal information

Project Reference: J10399
Site Address: Messines Ridge Road, Mount Gravatt, QLD

OCTIEF Field Consultant/s:
Date of Clearance: Monday, 25 March 2019
Time of Investigation: 3:00pm

Removal / Treatment Contractor: Be Plant hire

1.0 SCOPE OF WORKS

OCTIEF Pty Ltd (OCTIEF) was commissioned by Mcilwain to attend the above mentioned site to conduct asbestos clearance air monitoring along with a visual clearance inspection of areas listed in 'Section 2.1 Areas Inspected' following the removal of approximately:

- 212m³ of asbestos impacted stockpiled soil.

The remedial location is presented in Appendix A.

All identified ACM impacted soil was transported to Cleanaway waste facility at Newchum. All material was wetted prior to loading into licensed trucks (which were all equipped with tarpaulins that covered the loads during transport). A total of 258.69 tonne was removed from site and taken to Cleanaway between 22 March 2019 and 25 March 2019. Refer to Appendix B for weighbridge documentation.

2.0 INSPECTION DETAILS

2.1 Areas Inspected

A visual inspection of all horizontal and vertical surfaces was conducted within the following areas (Refer to Appendix C – Images):

- ACM impacted soil stockpile removal area.

2.2 Exclusions

The following are excluded from the visual inspection and are not covered by this clearance certificate.

- Asbestos and Asbestos Containing Materials (ACM) exposed at a time later than the time of inspection due to weather events, physical disturbances and mechanical disturbances.
- All other areas not specified within Section 2.1 Areas Inspected.

3.0 RESULTS

3.1 Asbestos Air Monitoring

Air monitoring was conducted and analysed in accordance with the Code of Practice: How to Safely Remove Asbestos 2011, NOHSC: 3003 (2005) and OCTIEF's in-house procedure QP-920-001 – Asbestos air Monitoring, Clearance Investigations and Filter Analysis.

All asbestos control air monitoring conducted yielded results below the detection limit (<0.01 fibres/mL). Refer to AM190360859. Laboratory certificates are presented in Appendix D.

3.2 Visual Clearance Inspection

At the time of the visual clearance inspection of the areas specified within Section 2.0 – Inspection Details, there was no visually identifiable asbestos or asbestos containing materials associated with the asbestos removal works completed.

4.0 CONCLUSION

Based on the results of the works conducted, it is OCTIEF's opinion that the scheduled removal / remediation of asbestos and asbestos containing materials have been completed to a satisfactory standard, in accordance with the relevant industry regulations.

Clearance for the areas inspected is hereby passed; the areas inspected may be returned to designated use.

Fieldwork/ Written by:

sch4p4(6) Personal information

Senior Environmental Scientist
Assessor license number: 2320090

Reviewed / Approved by:

sch4p4(6) Personal information

Principal Environmental Scientist

5.0 DISCLAIMER

The management and staff of OCTIEF Pty Ltd taken every care in completing the information contained in this report. The interpretation of the scientific data contained in reports of this nature is often subject to professional judgement and it is possible that errors may occur.

In consequence of the often subjective nature of the scientific interpretation of data, OCTIEF Pty Ltd cannot guarantee the completeness of the information provided, and clients are advised they should not rely entirely upon this information when making commercial decisions as a result of information contained in this document.

Any opinion, statement, representation or advice given on behalf of OCTIEF Pty Ltd given in good faith and relies upon the information provided by the client and the client releases and discharges OCTIEF Pty Ltd and its servants, agents or personnel from all actions, suits claims, demands, causes of actions, costs and expenses, legal equitable under statute and otherwise and all other liabilities of any nature which the client may have; or but for this disclaimer, could or might have had against OCTIEF Pty Ltd and its servants, agents or personnel in any way related to the information provided by the client to OCTIEF Pty Ltd.

The works was conducted in accordance with relevant guidelines and approved in-house procedures in conjunction with client instructions. All care has been taken to ensure that this report closely represents the state of the site at the time of the inspection. Sub-surface conditions can change with time, and the report is based solely on data gathered at the noted time of inspection. OCTIEF will not update the report and has not taken into account events occurring after the time its inspection was conducted.

This inspection was limited to the areas inspected at the time of inspection, subject to the exclusions noted and does not allow for changes that have occurred following the time of inspection.

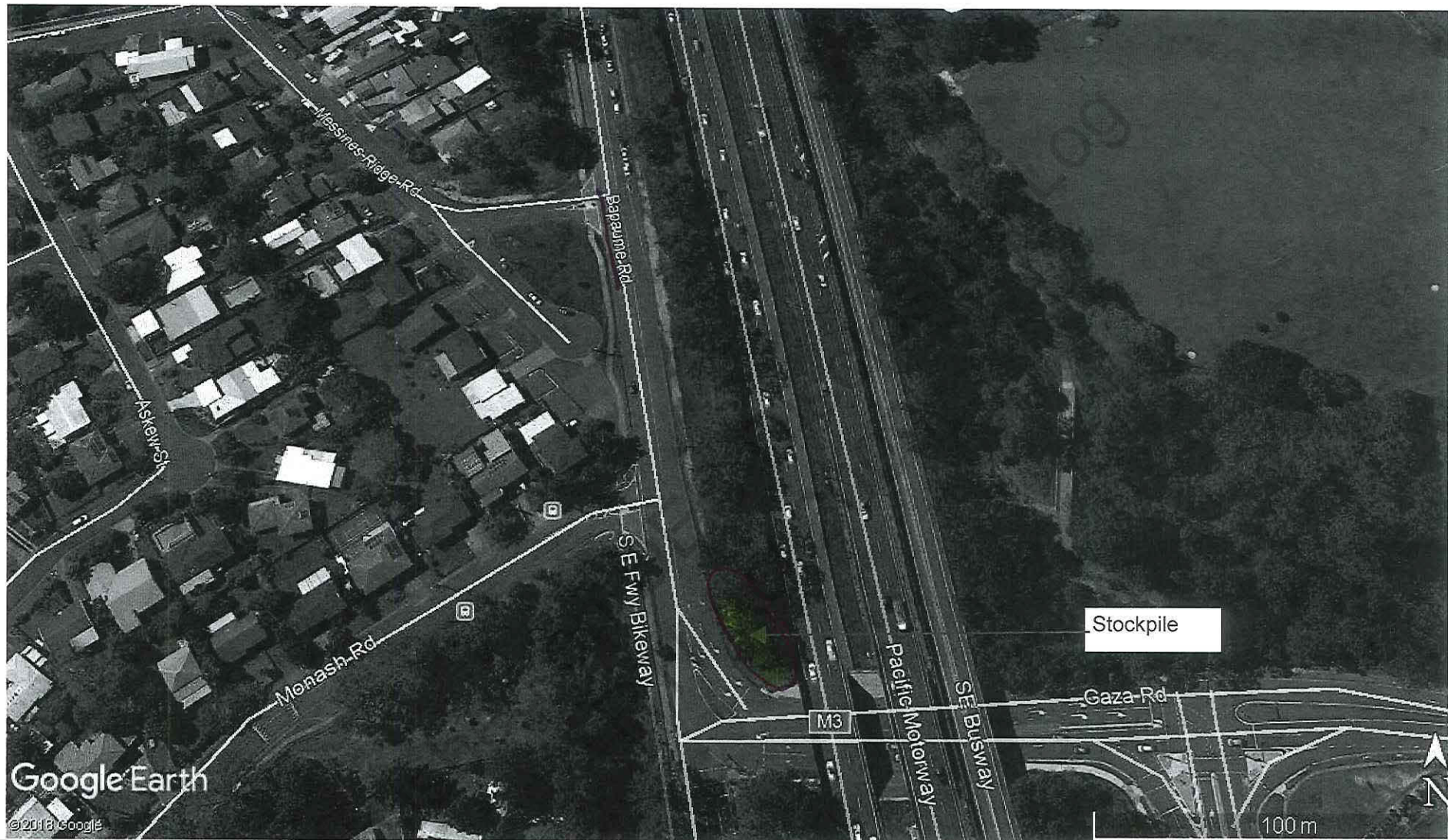
release

Published on DES Database
RTI Act 2008

6.0 APPENDIX A – Site Location plan

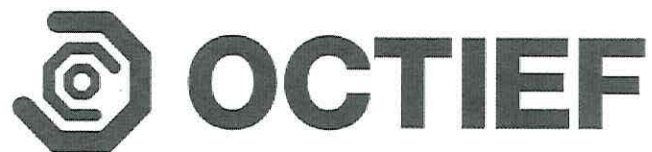
Published on DES Disclosure Log
RTI Act 2009

release



LEGEND

1		04/4/2016	MO	RJ
REV	DESCRIPTION	DATE	INT	APP



CLIENT:	DESIGNED:	DRAWN:
PROJECT TITLE:	CHECKED:	No. SHEETS:
SITE ADDRESS:	SCALE:	DATE STARTED:
DRAWING TITLE:	JOB No:	
	DRAWING No:	

ELIA Jacquelyn

From: Waste and Contaminated Land Assessment
Sent: Friday, 5 April 2019 3:18 PM
To: EMR CLR Registry
Cc: Waste and Contaminated Land Assessment
Subject: FW: CR90780 - Soil Disposal Permit - CLEB06600118 (Permit Breach)
Attachments: Soil Disposal Permit - CLEB06600118; era-no-duty-notify-environmental-harm.docx; RE: CR90780 - Soil Disposal Permit - CLEB06600118 (Permit Breach)

Importance: High

Categories: Jacq, Notification of Land

Hi Guys,

Pollution Hotline have received and passed on to us a duty to notify for environmental harm (see attached form + report in second email). Compliance are already aware of this matter. Could you please action this?

Cheers



James Dun

Environmental Officer

Waste and Contaminated Land Assessment

Waste Operations | Waste and Recovery

Department of Environment and Science

P 07 3330 5206

Level 7 400 George Street, BRISBANE QLD 4000

GPO Box 2454 BRISBANE QLD 4001



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From: Pollution Hotline <PollutionHotline@des.qld.gov.au>
Sent: Thursday, 4 April 2019 3:23 PM
To: Waste and Contaminated Land Assessment
Subject: CR90780 - Soil Disposal Permit - CLEB06600118 (Permit Breach)

Good afternoon WCLA,

Please refer to the correspondence below (item 2) from Ben McKenzie.

The client (b4(6) Personal inform from Mcllwain) has requested that a DES officer contact him in relation to the disposal of asbestos contaminated soil & associated Soil Disposal Permit.

Could you please arrange for an officer from your section to contact Mr Kunde as soon as possible. If you believe that this is not your business area, please advise CRT which section of DES should be contacted to enable a timely response to this client's request.

Thanks, Geoff



Geoff Dunbar

Community Response Officer
Community Response | Regulatory Capability & Customer Service
Department of Environment and Science

Phone: 1300 130 372 (option 2) **Email:** pollutionhotline@des.qld.gov.au
Level 9, 400 George Street, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001

From: MCKENZIE Ben <Ben.McKenzie@des.qld.gov.au>
Sent: Thursday, 4 April 2019 12:37 PM
To: Pollution Hotline
Cc: ES Compliance - Brisbane Moreton; CLOUGH Leonie
Subject: FW: CR90780 - Soil Disposal Permit - CLEB06600118 (Permit Breach)

Good afternoon CRT

Hope Thursday is going well for you.

I note there appears to be 2 components to this matter.

1. Possible contravention of the soil disposal permit – Compliance Centre matter; and
2. Request for contact from the department to discuss additional soil disposal requirements (original request made 11 February 2019) – not for the Compliance Centre. The customer's email indicates they have made several attempts to contact the department, without response, & the Ecotrack running sheet indicates that to date, no contact has been made with the customer in relation to this request.

BMC will run with point 1., & to that extent have commenced dialogue with the customer.

However, point 2. will need to be actioned by CRT and/or Waste & Contaminated Land Assessment.

Cheers

Ben

Ben McKenzie

Team Leader | Compliance | Brisbane Moreton Bay
P 07 3330 6329 | GPO Box 2454 | Brisbane QLD 4001

From: VINK Judy On Behalf Of ES Compliance - Brisbane Moreton
Sent: Thursday, 4 April 2019 10:50 AM
To: MCKENZIE Ben <Ben.McKenzie@des.qld.gov.au>
Cc: CLOUGH Leonie <Leonie.Clough@des.qld.gov.au>
Subject: FW: CR90780 - Soil Disposal Permit - CLEB06600118 (Permit Breach)

Hi Ben,

The following CR has been created for your allocation. I note that the client has tried to contact DES for advice on several occasions and has not had a reply.

Regards,



Judy Vink
Compliance Support Officer
South Queensland Compliance | Brisbane Moreton
Environmental Services and Regulation
Department of Environment and Science

Level 8, 400 George Street Brisbane QLD 4000
Document Submission: ESComplianceBrisbaneMoreton@des.qld.gov.au
Direct Email: judy.vink@des.qld.gov.au
Website: www.des.qld.gov.au



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If you are an existing DES customer, your details are already in Connect and you can get your Connect DES Customer Reference by emailing connecthelp@ehp.qld.gov.au.

From: Pollution Hotline <PollutionHotline@des.qld.gov.au>

Sent: Thursday, 4 April 2019 10:00 AM

To: ES Compliance - Brisbane Moreton

Subject: CR90780 - Soil Disposal Permit - CLEB06600118 (Permit Breach)

Good morning Brisbane office,

Community Response received the attached notification (condition breach of Disposal Permit) from McIlwain - for Octief Pty Ltd, which requires referral to the relevant Compliance Centre.

Note:- UCE Matrix Result = 21 High (3 Business days - Determine action if inspection not required).

This notification has been entered into Ecotrack under record **CR90780**.

Regards, Geoff



Geoff Dunbar
Community Response Officer
Community Response | Regulatory Capability & Customer Service
Department of Environment and Science
Phone: 1300 130 372 (option 2) Email: pollutionhotline@des.qld.gov.au
Level 9, 400 George Street, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001

From: [sch4p4(6) Personal information]@mcilwain.com>
Sent: Friday, 29 March 2019 9:38 AM
To: Pollution Hotline
Subject: Soil Disposal Permit - CLEB06600118

Hi

I would like to provide an update on soil disposal permit CLEB06600118.

Mcilwain is working on a construction project on behalf of the Department of Transport and Main Road. During construction asbestos contaminated fill has discovered at 172 Birdwood Road Holland Park West (lot 11 SP150691), and Mcilwain has been working with Octief to obtain a soil disposal permit and dispose the asbestos contaminated soil from the project. Lot 11 is land under the control of TMR.

In January 2019 a quantity of the contaminated soil was sent to the Cleanaway Landfall as per the soil disposal permit supervised by Octief. On Feb 8 2019 a quantity soil (approx. 50m3) from the above lot was unintentionally removed from this lot and stockpiled to lot 1051 SP289459. Lot 1051 is within the project footprint, and also TMR land. When this was realised on Feb 8, works were stopped and the stockpile was covered in geofabric and barricaded off. This quantity of soil was to be included within the original soil disposal permit of 450m3. Lot 1051 is recorded on the EMR, but not the contaminated land register.

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Could you please contact [sch4p4(6) Personal information] to discuss further.

Regards, [Personal information]

Regards,



[p4(6) Personal information] | **HSE Advisor**
Creating community assets since 1961
M. [4p4(6) Personal information] T. 07 3348 8199 F. 07 3390 4775
E. [4(6) Personal information]@mcilwain.com W. <http://www.mcilwain.com>
A. First Floor, 1283 Lytton Road P. PO Box 47,
Hemmant, Qld, 4174 Morningside, Qld, 4178

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Valuations Administration

ELIAJ(1)

Property - 1000/05 : Property 41152503 NV A

Walk By : < 1 >

Delay Execution No ▾

Summary

Property

LG

Use

Summary

Links :

Property Id : 41152503

Property Type : NON-VALUED

LG/Div : (1000/05) BCC-STEPHENS

SMA : (601) STEPHENS SPECIAL PURPOSE GENERAL

Walk the Road : 616/000001

Previous Reference : NPV

Property Address : 113A MESSINES RIDGE RD, HOLLAND PARK WEST QLD 4121

Owner (VOLA) : THE STATE OF QUEENSLAND (REPRESENTED BY THE DEPARTMENT OF TRANSPORT AND MAIN ROADS)

Service Address :

RPD : L1 SP137201 & L1051 SP289459

Area : 31.854 HA

Volume : 0 M3

Primary L/Use : (4) VACANT RESIDENTIAL LAND =>4000m2

Secondary L/Use : (54) STATE(SECONDARY LAND USE ONLY)

As Valued L/Use : (0) NONE

Sale Date :

Sale Price :

Sale Type :

release

CURRENT RESERVE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 30969581

Search Date: 08/04/2019 08:00

Title Reference: 49020653

Date GAZETTED: 15/06/1991

PAGE: 896

Opening Ref: RC 42403

Purpose: DEPARTMENTAL AND OFFICIAL

Sub-Purpose: TRANSPORTATION AND DEVELOPMENT

Local Name:

Address:

County (R) No: R4370

File Ref: RES 26657

TRUSTEES

THE STATE OF QUEENSLAND (REPRESENTED BY DEPARTMENT OF
TRANSPORT AND MAIN ROADS) GAZETTED ON 15/06/1991 PAGE
896

LAND DESCRIPTION

LOT 1 SURVEY PLAN 137201 AMENDED on 28/09/2016
Local Government: BRISBANE CITY
LOT 1051 SURVEY PLAN 289459 AMENDED on 28/09/2016
Local Government: BRISBANE CITY

Area: 31.854000 Ha. (SURVEYED)

EASEMENTS AND ENCUMBRANCES

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

** End of Current Reserve Search **

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Requested By: SMIS .