

STANTHORPE

Please update Emr + file
thanks, hause
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160 Ann Street • Brisbane, Queensland • PO Box 155 • BRISBANE ALBERT STREET QLD 4002 • AUSTRALIA
Telephone 3227 6422 • Facsimile 3227 7677 • www.env.qld.gov.au

Enquiries Anne McCartin
Telephone (07) 3227 7983 Facsimile (07) 3247 3278
Your reference
Our reference 900844 App'n No.: 8381 Part 1

Emr Updated 20/2/01

L2 on RP861194 (new parcel - IPA)

(L 7/ RP31781 - base parcel)

Stanthorpe SC RT

19 February 2001

Tam Faragher & Associates Pty Ltd
PO Box 3066
NEWSTEAD QLD 4006

Attn: Wayne Kerkow

* copied to L 7 RP31781 (BP)

Dear Mr Kerkow

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997* for your application, advises that the correspondence indicated is attached:

- ☐ Information request (C-1)
- ☐ Notification of information request (C-2)
- ☐ Notification of receipt of applicant's response to information request (C-3)
- ☐ Extension of information request/assessment period (C-4)
- ☐ Request for applicant's written agreement to extension of information request/assessment period (C-5)
- ☐ Concurrence agency response cover sheet (C-6)
- ☐ Concurrence agency response about environmentally relevant activities (C-6 ERA)
- ☒ Concurrence agency response about contaminated land (C-6 CLM)
- ☐ Request for applicant's written acceptance of concurrence agency response after assessment period expires (C-7)
- ☐ Amended concurrence agency response about environmentally relevant activities (C-7 ERA)
- ☐ Amended concurrence agency response about contaminated land (C-7 CLM)
- ☐ Notification of decision in relation to a request to change or cancel a condition (C-8)
- ☐ Notification of proposal to change or cancel a condition (C-9)
- ☐ Notification of decision in relation to a proposal to change or cancel a condition (C-10)

✓ checked query data base
14/03/01

Application information:

Concurrence agency office: Contaminated Land Unit

Responsible officer: Anne McCartin

Postal address: PO Box 155, BRISBANE ALBERT STREET QLD 4002

Telephone: 3227 7983 Fax: 3247 3278 E-mail: Anne.McCartin@env.qld.gov.au

EPA no.: 8381 Part 1

Application no.: IA 379

Street address of subject land: Cnr Mayfair Lane & New England Highway, Applethorpe

Real Property Description: Lot 2 on RP861194

Signed

sch4p4(6) Perso

Mack Dreyer
Chief Scientific Advisor (Contaminated Land Unit)

cc Stanthorpe Shire Council

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Enquiries Anne McCartin
 Telephone (07) 3227 7983 Facsimile (07) 3247 3278
 Your reference IA 379
 Our reference 900844 Appln No: 8381 Part 1

19 February 2001

Ms Jeanette Davis
 Stanthorpe Shire Council
 PO Box 402
 STANTHORPE QLD 4380

Dear Ms Davis

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997* for your application, advises that the correspondence indicated is attached:

- ☐ Information request (C-1)
- ☐ Notification of information request (C-2)
- ☐ Notification of receipt of applicant's response to information request (C-3)
- ☐ Extension of information request/assessment period (C-4)
- ☐ Request for applicant's written agreement to extension of information request/assessment period (C-5)
- ☐ Concurrence agency response cover sheet (C-6)
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- ☒ Concurrence agency response about contaminated land (C-6 CLM)
- ☐ Request for applicant's written acceptance of concurrence agency response after assessment period expires (C-7)
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- ☐ Notification of decision in relation to a request to change or cancel a condition (C-8)
- ☐ Notification of proposal to change or cancel a condition (C-9)
- ☐ Notification of decision in relation to a proposal to change or cancel a condition (C-10)

Application information:

Concurrence agency office: Contaminated Land Unit

Responsible officer: Anne McCartin

Postal address: PO Box 155, BRISBANE ALBERT STREET QLD 4002

Telephone: 3227 7983 Fax: 3247 3278 E-mail: Anne.McCartin@env.qld.gov.au

EPA no.: 8381 Part 1

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Street address of subject land: Cnr Mayfair Lane & New England Highway, Applethorpe

Real Property Description: Lot 2 on RP861194

Signed

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19/2/01

Mack Dreyer

Chief Scientific Advisor (Contaminated Land Unit)

Concurrence agency response

Integrated Planning Act 1997 ss3.3.16 and 3.3.18

EPA No.: 8381 Part 1
Applicant: Tam Faragher & Associates
Application no.: IA 379
Date received by EPA: 02/02/2001
Jurisdiction: *Environmental Protection Act 1994*
Role: Concurrence

Description: Material Change of Use
 Cnr Mayfair Lane & New England Highway , Applethorpe
 Lot 2 on RP861194

1 Type of development

- ☒ Material Change of Use
- ☐ Reconfiguration of a Lot

where:

- ☐ the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the *Environmental Protection Act 1994*.
- ☐ the proposed use of the land is for child care, educational, recreational, residential or similar purposes and the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for an industrial activity.
- ☒ the land is on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*.
- ☐ the land is wholly or partly within an area for which an Area Management Advice for industrial activity or natural mineralisation has been issued and the proposed use of the land is for child care, educational, recreational, residential or similar purposes.
- ☐ the land is wholly or partly in an area for which an Area Management Advice for unexploded ordnance has been issued.

2 Response to development application

The Environmental Protection Agency, acting as a concurrence agency for contaminated land under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that -

- ☒ conditions must attach to any development approval
- ☐ any approval must be for part only of the development
- ☐ any approval must be a preliminary approval only
- ☐ there are no concurrence agency requirements;
- ☐ the application must be refused

3 Condition(s)

The following concurrence agency condition(s) is/are to be attached to any development approval:

- a) The removal of any contaminated soil from this site requires a Disposal Permit from the Environmental Protection Agency Contaminated Land Unit under the *Environmental Protection Act 1994* (EP Act).

4 Reasons for including condition(s) or refusal

State full reasons for including condition(s) listed above:

- a) To mitigate any potential risk to human health or the environment from possible hazardous contaminants present on the site.

5 Additional comments or advice

Not applicable

6 Additional information

This concurrence response pursuant to Chapter 7, Part 8 of the *Environmental Protection Act 1994* applies only to contaminated land issues and does not remove the need to obtain any further approval for this development which may be required by this or other legislation, State and/or Commonwealth. Applicants are advised to check with all relevant statutory authorities. Applicants should comply with all relevant legislation.

The Environmental Protection Agency has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that the responsibility for assessment of native title issues for an IDAS application rests with the Assessment Manager. It is recommended that the Assessment Manager use their own guidelines to determine whether a native title notification is required for this application.

****End of Response****

IDAS C-6 CLM

160 Ann Street • Brisbane, Queensland • PO Box 155 • BRISBANE ALBERT STREET QLD 4002 • AUSTRALIA
Telephone (07) 3227 7111 • Facsimile (07) 3227 6534 • www.env.qld.gov.au

Enquiries	Louise Gilshenan
Telephone	3227 7667
Your reference	
Our reference	900844 App'n No. 8381

19 February 2001

Mr Wayne Kerkow
Tam Faragher & Associates Pty Ltd
PO Box 3066
NEWSTEAD QLD 4006

Dear Mr Kerkow

Re: Material Change of Use - Redevelopment of Service Station at Cnr Mayfair Lane & New England Highway, Stanthorpe (Lot 2 on RP861194)

Please find attached a concurrence agency response from the Contaminated Land Unit of the Environmental Protection Agency (EPA) for the above development application.

Please note that the Environmental Licensing Division of the Toowoomba EPA office also has a concurrence role in relation to this development application, and will provide a reply separately. The attached response is from the Contaminated Land Unit only.

If you have any queries please do not hesitate to contact the undersigned on 3227 7667.

Yours sincerely

sch4p4(6) Personal information

Louise Gilshenan
Environmental Officer (Contaminated Land Unit)

cc Ms Jeanette Davis
Stanthorpe Shire Council

**IPA APPLICATION - cnr Mayfair Lane & New England Highway, Applethorpe
(Lot 2 on RP861194)**

Applicant: Tam Faragher & Associates
App'n No: 8381
File No: 900844

On EMR for: service station

Any ERA's?: sewerage system - application has been referred to Toowoomba EPA;
fuel storage = devolved ERA

Referral Coordination?: no (original Acknowledgment Notice stated that it did require referral coordination, however a subsequent letter from Stanthorpe Shire Council advised that DCILGPS did not need to coordinate the application)

Proposal: Material Change of Use - redevelopment of existing service station and restaurant.

Recommendation:

Site will continue to be used for a Notifiable Activity (service station), therefore:
Condition re Disposal Permits, no advice.

*As this application has also been referred to the EPA Toowoomba office, attach covering letter stating that our response is only from the CLU

sch4p4(6) Personal informa

15.02.01

Agree 15/2/2001
sch4p4(6) Pe



Tam Faragher & Associates Pty Ltd

ACN 054 486 743

ABN 59 054 486 743

Project Managers, Designers & Engineers

5 Dunlop Street, Newstead Q. 4006 Australia

Ph. 61 7 3257 2020 Fax. 61 7 3257 2040

P.O. Box 3066 Newstead Q. 4006 Australia

Email: tamfar@TfA.com.au

31st January 2001

Environmental Protection Agency
Contaminated Land Unit
P.O. Box 155
Brisbane Albert Street
QLD 4002

Dear Sir,



Re: Re-development of Service Station – Cnr Mayfair Lane & New England Highway, STANTHORPE.

A development application has been made to Stanthorpe Shire Council for the above project.

We enclose information required for your consideration as a nominated Concurrence Referral Agency.

Yours faithfully

sch4p4(6) Personal information

Wayne Kerkow
for Tam Faragher and Associates Pty Ltd



APPLICATION NUMBER:	8381
FILE NUMBER:	900844
REFERRAL DATE:	2/2/2001
DATE INFO REQUEST DUE:	16/2/2001
RCU No.	
OFFICER:	



61 MARSH STREET
(P O BOX 402)
STANTHORPE Q 4380
PHONE: 07 46815535
FAX: 07 46815540

STANTHORPE SHIRE COUNCIL
HEALTH, BUILDING AND TOWN PLANNING SERVICES DEPARTMENT

ACKNOWLEDGMENT NOTICE TO APPLICANT

Integrated Planning Act 1997

File No: IA 379

1 APPLICANT DETAILS

Name Tam Faragher & Associates

Postal address PO Box 3066 Newstead Qld 3066

Phone No. 07 3257 2020

Mobile no. 0418 880 507

Fax 07 3257 2040

2 PROPERTY DESCRIPTION

Street Address include suburb/locality Cnr Mayfair Lane & New England Highway Applethorpe

Lot & RP No/s Lot 2 RP 861194

Parish Stanthorpe

County Bentinck

3 OWNER'S DETAILS

Name Hargroup (Qld) Pty Ltd

Postal address c/- James Cook Centre
Ruthven & Herries Street
Toowoomba Q 4350

CONTAMINATED
LAND SECTION
02 FEB 2001

4 SUPERSEDED PLANNING SCHEME

To be completed only if the application is a Development Application (Superseded Planning Scheme)

Has the applicant's request to deal with the proposal under a Superseded Planning scheme been agreed to?

No ☐ The application will be assessed under the Existing Planning Scheme

Yes ☐ If yes, which of the following applies?

The development was not assessable under the Superseded Planning Scheme and the applicant may proceed as proposed as if the development were to be carried out under the Superseded Planning Scheme ☐

The development was assessable development under the superseded Planning Scheme and this Development Application will be assessed under the Superseded Planning Scheme ☐

5 DEVELOPMENT APPROVAL

What approval is being sought?

	Development Permit	Preliminary Approval
Carrying out building work	☐	☐
Carrying out plumbing or drainage work	☐	☐
Carrying out operational work	☐	☐
Making a material change of use of premises	☒	☐
Reconfiguring a lot	☐	☐

6 PROPOSED DEVELOPMENT

Service Station & Catering Facility

7 CODE ASSESSMENT

Will Code Assessment be required?

No

☐

Yes

☒

List Codes

Planning Scheme Policy 002 – Road Construction & Effluent Disposal in the Village Zone

Planning Scheme Policy 011 – Shops, Commercial Premises & Catering Facilities

Planning Scheme Policy 019 – Service Stations

Part 5 Section 1.0 of the Planning Scheme – Carparking & Loading Code

8 IMPACT ASSESSMENT

Will Impact Assessment be required?

No

☐

Yes

☒

9 PUBLIC NOTIFICATION DETAILS

What is required for Public Notification?

Public notification must be given in accordance with Chapter 3 Part 3 of the Integrated Planning Act. A copy of Public Notification Details is attached for your assistance. Two signs will be required. The names and addresses of adjoining owners are as follows:

sch4p4(6) Personal information

Famimu Pty Ltd

PO Box 368

PO Box 187

Stanthorpe Q 4380

Stanthorpe Q 4380



10 REFERRAL AGENCIES

What are the names and addresses of Referral Agencies?
State whether the referral agency is a 'Concurrence' or 'Advice' Agency.

Concurrence Agency

Main Roads Department

Locked Bag 1 Warwick Q 4370

The site is adjacent to the State Controlled Road

Concurrence Agency

Environmental Protection Agency

Contaminated Land Unit

11 Floor 160 Ann Street

P O Box 155

Brisbane Albert Street Q 4002

The site is listed on the Environmental Management Register

Concurrence Agency

Stanthorpe Shire Council

Acting in a devolved capacity under the Environmental Protection Act.

Notification of this agency will be undertaken internally by Council

Crude oil or petroleum product storing (10 000 litres or more but less than 500 000 litres) is a level 2 Environmentally Relevant Activity that is devolved to Council.

Concurrence Agency

Environmental Protection Agency

South West District (Toowoomba)

158 Hume Street,

PO Box 731

Toowoomba Q 4350

The site is not connected to a sewerage system. It will therefore be required to install on site a special sewage treatment works having a peak design capacity to treat sewage of 21 or more equivalent persons. This is an Environmentally Relevant Activity that is not devolved to Council. It should also be noted that this use is included in Schedule 6 of the Integrated Planning Regulation which has the effect of triggering Referral Coordination.

11 INFORMATION REQUEST

Will a further Information Request be made by the Assessment Manager?

No ☐ Yes ☒



12 REFERRAL COORDINATION

Does the application require Referral Co-ordination?

No ☐ Yes ☒ Refer application to,

Chief Executive, Qld Department of Communication and Information Local
Government Planning and Sport, P O Box 187, Brisbane Albert St Qld 4002

13 ASSESSMENT MANAGER/PRIVATE CERTIFIER

Name	Jeanette Davis	Signature	<div>scb4p4(6) Personal informa</div>	Date	02.01.2001
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Released by EHP under the RTI Act 2009





Tam Faragher & Associates Pty Ltd

Project Managers, Designers & Engineers

ACN 054 486 743
ABN 59 054 486 743

5 Dunlop Street, Newstead Q. 4006 Australia
Ph. 61 7 3257 2020 Fax. 61 7 3257 2040
P.O. Box 3066 Newstead Q. 4006 Australia
Email: tamfar@TfA.com.au

17 January 2001

Assessment Manager
Stanthorpe Shire Council
P O Box 402
Stanthorpe QLD 4380

FILE COPY

Attention: J Davis

Dear Mrs Davis

Re: **Proposed Redevelopment of Service Station**
Cnr Mayfair Lane & New England Highway, Applethorpe
S.C.C. Ref: D/A No. IA 379

Further to the acknowledgment notice received and discussions with Mr Chris Loveday of Council we advise that it is our intention to connect the site to Council's sewerage system thereby negating the need for on site disposal of effluent. We believe referral to the Environmental Protection Agency as indicated under section 10 of the notice will therefore not be required.

One of two possible options is intended subject to detail design, costing and Council's approval.

An effluent only system exists in nearby Melaleuca Crescent. The first option is for an on site treatment plant with effluent only being discharged to the existing system by either gravity or rising main if applicable. The second option is to construct a new gravity sewer or rising main if applicable to the existing pump station and upgrade the pumps as needed for sewerage. Capacity of the existing rising main from the pump station will also need to be checked.

Could you please confirm that referral to the E.P.A. for on site sewerage treatment and disposal is now not required. Also Chris Loveday indicated that referral coordination would probably not now be required either. Please also advise.

Yours faithfully

sch4p4(6) Personal information

Wayne Kerkow
for Tam Faragher & Associates Pty Ltd

**CONTAMINATED
LAND SECTION**
02 FEB 2001



STANTHORPE SHIRE COUNCIL

61 Marsh Street
PO Box 402
STANTHORPE QLD 4380

Telephone: 07 4681 5500
Facsimile: 07 4681 5540

Your Reference

If telephoning or calling, please ask for:

Our Reference JD:KM IA 379 (Doc No 19127)

J Davis



25 January 2001

Tam Faragher & Associates Pty Ltd
PO Box 3066
NEWSTEAD QLD 4006

Dear Sir

*Proposed Redevelopment of Service Station
Mayfair Lane & New England Highway, Applethorpe*

I refer to your letter of 17 January 2001 regarding proposals for the disposal of effluent generated by the proposed development of a Service Station and restaurant on Lot 2 RP 861194 located at Mayfair Lane & New England Highway, Applethorpe.

I confirm that referral to the Environmental Protection Agency for on site sewerage treatment and disposal is not required provided you dispose of sewerage in accordance with one of the proposals set out in your letter dated 17 January 2001.

Council's Shire Planner has been advised by officers of the Referral Co-ordination Unit of the Department of Local Government & Planning that referral co-ordination is not triggered if one of the three referrals is for an Environmentally Relevant Activity which is devolved to Council. Accordingly, it is understood that referral co-ordination will not be required provided that the proposal does not involve the installation on site of a sewerage treatment works with a design capacity to treat sewerage of 21 or more equivalent persons.

Yours faithfully

scb4p4(6)Pe

TP Brennan
Chief Executive Officer

