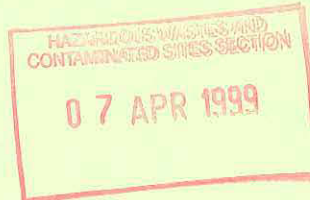


Prepared by: Ariane Milinovich
Title: A/Registrar EMR/CLR
Division/Region: Environment
Telephone: 07 3225 1974
Track No.: E/98/03224
E 12-1-99

Carm's
K. Hopper

Ref: 901993
98/14452



8 JAN 1999

Mr Bill Baumann MLA
Member for Albert
PO Box 454
OXENFORD QLD 4210

Dear Mr Baumann

Thank you for your letter of 27 November 1998 making representation on behalf of [sch4p4(6) Person] concerning the proposed listing of 29 Eastern Court, Helensvale on the Environmental Management Register.

In July 1998, new provisions commenced for the management of contaminated land in the *Environmental Protection Act 1994*. One of the key elements of the new legislation is the inclusion of natural justice provisions inviting landowners to make a submission regarding the proposed inclusion of their property on the Environmental Management Register.

In this case, the landowner, [sch4p4(6) Person] has made a submission to my Department of Environment and Heritage requesting that the property not be listed. My Department wrote to him on 4 December 1998 indicating that his submission would be considered before a decision was made. Any additional information which is provided by [sch4p4(6) Person] will assist in reaching a decision, and his property will not be listed on the Environmental Management Register unless, and until such time as, my Department is satisfied that the notifiable activity of 'landfill' has indeed occurred.

Thank you for bringing this matter to my attention and I trust this information is of assistance when replying to your constituent.

Yours sincerely

[sch4p4(6) Personal information]

ROD WELFORD MLA

TO: MINISTERIAL LIAISON UNIT

FROM: Division of Environment

MINISTERIAL CORRESPONDENCE NO: 98/14452

FILE NUMBER: 901993

WRITER: Bill Baumann M.L.A, Member for Albert, on behalf of [sch4p4(6) Personal]

SUBJECT: Consideration of Listing on Environmental Management Register -
land at 29 Eastern Court Helensvale (Lot 47 RP215136)

Thank you for your letter of 27 November 1998 making representation on behalf of [sch4p4(6) Person] concerning the proposed listing of 29 Eastern Court Helensvale on the Environmental Management Register.

You would be aware that new provisions for the management of contaminated land in the *Environmental Protection Act 1994* commenced in July 1998. One of the key elements of the new legislation was the inclusion of natural justice provisions inviting land owners to make a submission about the proposed inclusion of their property on the Environmental Management Register.

In this case the land owner, [sch4p4(6) Person] has already made a submission to the Department of Environment and Heritage requesting that the property not be listed. My Department wrote to [sch4p4(6) Person] on 4 December indicating that the matter would be considered before a decision was made. Any additional information to be provided by [sch4p4(6) Person] will assist in reaching a decision, and [sch4p4(6) Person] property will not be listed on the Environmental Management Register unless and until such time as my Department is satisfied that the notifiable activity of 'landfill' has indeed occurred.

Thank you for bringing this matter to my attention and I trust this information is of assistance when replying to your constituent.

Branch Head..... David Miles.....Date:
(Sign in full)

[sch4p4(6) Personal information]

Contact Officer..... Ariane Milinovic.....Date: 14/12/98.
Acting Registrar
Hazardous Waste and Contaminated Sites Section
Telephone No: 3225 1974

[sch4p4(6) Personal information]

[sch4p4(6) Personal information]

G:\minister\14452_98.doc

17/12/98

16.12.98

Ref: Contaminated Sites
98/14452

4 December 1998

Mr Bill Baumann MLA
Member for Albert
PO Box 454
OXENFORD QLD 4210

Dear Mr Baumann

My Minister, the Honourable Rod Welford MLA, has received your letter dated 27 November 1998 making representations on behalf of [Sch4p4(6) Personal info] concerning possible listing of 29 Eastern Court, Helensvale on the Environmental Management Register.

Further advice is being sought and a full response will be provided to you in the near future.

Yours sincerely

[Sch4p4(6) Personal information]

Steve Moriarty
Principal Advisor
(Environment and Heritage)



901993

POSTAL:
PO Box 454
OXENFORD 4210

ELECTORATE OFFICE:
Leatherline Building
Old Pacific Highway
OXENFORD 4210

BILL BAUMANN M.L.A.
Member for Albert

27 November 1998

Previously sent by
facsimile.

98/14452

Hon Rod Welford, MLA,
The Minister for Environment and Heritage, Natural Resources
PO Box 456
BRISBANE, ALBERT STREET 4002

Dear Minister,

I refer you to the enclosed correspondence sent to [sch4p4(6) Personal information] a constituent of Albert. [sch4p4(6) Personal information] has been advised of the **Consideration of Listing Land on the Environmental Management Register** and has until the end of next week to make a submission to the Department of Environment and Heritage.

As [sch4p4(6) Personal information] is unaware of its history, and thus is unable to make a considered submission at this stage. I am assisting [sch4p4(6) Personal information] with obtaining records with regard to the likelihood of landfill being used, and if it was the possibility of the landfill containing contaminants. This assistance involves some liaison between Council and the local office of the Department of Environment and Heritage. While all parties are most helpful it is very difficult, commencing with a zero knowledge base, for [sch4p4(6) Personal information] to obtain sufficient information with which to make a submission in the allocated time.

I would be grateful for your extending the time available to [sch4p4(6) Personal information] to make a submission, or alternatively describing the site as being investigated rather than listing it directly.

May I take this opportunity to thank you in advance for your assistance and advice.

Yours faithfully,

[sch4p4(6) Personal information]

Bill Baumann M.L.A.
Member for Albert

- B/C Exec Dir Env
☒ For Ministerial reply
☐ For Appropriate Action
☐ For information & any necessary action

[sch4p4(6) Personal information]

Director-General 3/2



Office of the Minister for Environment and Heritage and Minister for Natural Resources	
Date Rec'd.	01 DEC 1998
Track No.:	E/98/03224
To:	DEH/ONR Response
☐	Briefing Note
☐	For Discussion
☐	Noted - To File

06 November 1998

Site ID: 24779

File Number:

Enquiries to: Hazardous Waste and Contaminated Sites Section

Telephone: (07) 3227 6870

Sch4p4(6) Personal information

**NOTICE OF CONSIDERATION OF LISTING LAND ON THE
ENVIRONMENTAL MANAGEMENT REGISTER.**

In accordance with section 118G of the *Environmental Protection Act 1994* notice is hereby given that the parcel of land described below is being considered for inclusion on the Environmental Management Register.

Lot: 47 Plan: RP215136
GOLD COAST CITY COUNCIL

Sch4p4(6) Personal information

The Department of Environment and Heritage has been notified that the parcel of land has been used for the following notifiable activities pursuant to section 118G of the *Environmental Protection Act 1994*.

LANDFILL - disposing of waste (excluding inert construction and demolition waste).

You may make a submission relating to this notice about whether or not the land is contaminated land. Submissions must be accompanied by a statutory declaration by the owner, declaring that the owner -

- (i) has not knowingly included any false or misleading information in the submission; and
- (ii) has given all relevant information to the administering authority.

Submissions should be lodged with this Department within 30 days of the date of this notice.

After this date, if no submission has been received from the owner, the land will be entered on the Environmental Management Register, in accordance with section 118H of the *Environmental Protection Act 1994*. The enclosed leaflet explains the

Environmental Management Register and how contaminated land in Queensland is managed.

In accordance with the issuing of this notice under section 118G, the following requirement applies under section 118ZZC of the *Environmental Protection Act 1994*.

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 owner has been given notice under section 118G and the particulars about the notice.

For further information regarding this notice, please contact the Hazardous Waste and Contaminated Sites Section, Department of Environment and Heritage on telephone (07) 3227 6870.

Yours sincerely

sch4p4(6) Personal information

Ariane Milinovich

Acting Registrar, Hazardous Waste and Contaminated Sites Section

Gold Coast
Site ID - 24779

File no: 901993

DATE: 2/12/98
FROM: Tess Bignell, Registry Officer
TO: Ariane Milinovich, Acting Registrar
RE: Lot 47/RP215136 - 29 Eastern Court, Helensvale

FOR YOUR INFORMATION

I received a call from Belinda from the Department of Environment and Heritage South Coast Regional Office regarding the above site. The owner is going to protest being listed on the Environmental Management Register. I have asked Gold Coast CC to conduct a site inspection and forward their findings as soon as possible. Belinda has been out there already and can see no evidence of dumping of waste, however Council think it may have been one of a number of illegal dumps in that area years ago, but it would only have been demolition/construction waste dumped there.

Tess Bignell
Registry Officer
Hazardous Wastes & Contaminated Sites Section

Published on DES Disclosure
RTI Act 2009



File - 901993
JMM 18/3/99

9 March 1999

MS. ARIANE MILINOVICH
Acting Registrar
Hazardous Waste and Contaminated Sites Section
Department of Environment and Heritage
P. O. Box 155
Brisbane Albert Street 4002

Dear Ms. Milinovich,

Re: Site ID:24779
File Number 901993

Thank you for your letter of the 15th of February 1999
and I hasten to thank you for the favourable decision
by the Department.

I consider the matter closed and conclude by forwarding
two (2) copy letters pertaining to the matter.

Yours sincerely,

sch4p4(6) Personal information



Hon. Rod Welford MLA

Minister for Environment and Heritage and Minister for Natural Resources

Ref: 901993
98/14452

- 8 JAN 1999

Mr Bill Baumann MLA
Member for Albert
PO Box 454
OXENFORD QLD 4210

Dear Mr Baumann

Thank you for your letter of 27 November 1998 making representation on behalf of [sch4p4(6)] concerning the proposed listing of [sch4p4(6) Personal information] on the Environmental Management Register.

In July 1998, new provisions commenced for the management of contaminated land in the *Environmental Protection Act 1994*. One of the key elements of the new legislation is the inclusion of natural justice provisions inviting landowners to make a submission regarding the proposed inclusion of their property on the Environmental Management Register.

In this case, the landowner, [sch4p4(6) Person] has made a submission to my Department of Environment and Heritage requesting that the property not be listed. My Department wrote to him on 4 December 1998 indicating that his submission would be considered before a decision was made. Any additional information which is provided by [sch4p4(6) Person] will assist in reaching a decision, and his property will not be listed on the Environmental Management Register unless, and until such time as, my Department is satisfied that the notifiable activity of 'landfill' has indeed occurred.

Thank you for bringing this matter to my attention and I trust this information is of assistance when replying to your constituent.

Yours sincerely

[sch4p4(6) Personal information]

ROD WELFORD MLA

18 DEC 1998

Date 16 December 1998
Contact Mr S Smith
Location Surfers Paradise Office
Telephone (07) 55816140
Your Reference 24779
Our Reference (3)604/12-14525/29

Address all correspondence to
Chief Executive Officer
PO Box 5042
Gold Coast MC QLD 9729 AUSTRALIA



City of Vision

Nerang Office Telephone (07) 5582 8211
Fax (07) 5596 3653

Surfers Paradise Office Telephone (07) 5581 6000
Fax (07) 5581 6346
Telex (07) 55AA41461
DX42161 Bundall

The Registrar
Hazardous Wastes and Contaminated Sites Section
Department of Environment & Heritage
PO Box 153
BRISBANE ALBERT STREET 4002

Dear Sir/Madam

LOT 47/RP215136 - 29 EASTERN COURT, HELENSVALE.

Your letter dated 6 November, 1998 relating to a Notice of Consideration of Listing Land on the Environmental Management Register for the abovementioned property is acknowledged.

A review of Council's records indicates that fill that was used on the site was obtained from pool and slab excavations within the Helensvale area. The review undertaken in response to your request has found no evidence to suggest that any contaminated soil or material have been dumped at the site.

Please do not hesitate to contact the person whose name appears in the top left hand corner of this letter should you require further information or assistance regarding this matter.

Yours faithfully

Sch4p4(6) Personal information

for Paul Stevens

CHIEF EXECUTIVE OFFICER

When corresponding on this matter, please quote
Council's file number shown above.

Copy: Mr Bill Baumann MLA
Member for Albert
PO Box 454
OXENFORD 4210

Our Vision . . . is to ensure our City is the premier place to live, work and play.

Ariane Milinovich
(07) 322 77658

901993/Site ID: 24779

sch4p4(6) Personal information

Dear sch4p4(6) Person

Re: Lot 47 RP215136 - sch4p4(6) Personal information

Further to my letter of 4 December 1998, I am writing to advise you that an investigation has been conducted into land uses on the above property.

No evidence was found to indicate that the property was used for a notifiable activity, and as a result there is no requirement for the site to be listed on the Environmental Management Register. The attached notice serves to advise you that the site will not be recorded on the Register.

Thank you for your assistance in this matter. If you require any further information, please do not hesitate to contact me on (07) 3227 7658.

Yours sincerely

sch4p4(6) Personal information

Ariane Milinovich
Acting Registrar

Hazardous Waste and Contaminated Sites Section

B/c Bill Baumann MLA
PO Box 454
OXENFORD QLD 4210

The Chief Executive Officer
Gold Coast City Council
PO Box 5042
GOLD COAST MC QLD 9729

South Coast District Office
The Department of Environment and Heritage
PO Box 3454
Burleigh Town LPO
BURLEIGH HEADS QLD 4220

Yes, delete 1024779.
Send notice to owner of C&A
with this cover letter
sch4p4 15/2/99.
I post BFC's as attached.

deleted 15/2/99
sch4p4(6) Personal

15 February 1999

Shawn
Date 16 December 1998
Contact Mr S Smith
Location Surfers Paradise Office
Telephone (07) 55816140
Your Reference 24779
Our Reference (3)604/12-14525/29



C/SITE 3
Address all correspondence to
Chief Executive Officer
PO Box 5042
Gold Coast MC QLD 9729 AUSTRALIA



City of Vision

The Registrar
Hazardous Wastes and Contaminated Sites Section
Department of Environment & Heritage
PO Box 155
BRISBANE ALBERT STREET 4002

Nerang Office Telephone (07) 5582 8211
Fax (07) 5596 3653
Surfers Paradise Office Telephone (07) 5581 6000
Fax (07) 5581 6346
Telex (07) 55AA41461
DX42161 Bundall

Dear Sir/Madam

LOT 47/RP215136 - 29 EASTERN COURT, HELENSVALE.

Your letter dated 6 November, 1998 relating to a Notice of Consideration of Listing Land on the Environmental Management Register for the abovementioned property is acknowledged.

A review of Council's records indicates that fill that was used on the site was obtained from pool and slab excavations within the Helensvale area. The review undertaken in response to your request has found no evidence to suggest that any contaminated soil or material have been dumped at the site.

Please do not hesitate to contact the person whose name appears in the top left hand corner of this letter should you require further information or assistance regarding this matter.

Yours faithfully

sch4p4(6) Personal information

for Paul Stevens

CHIEF EXECUTIVE OFFICER

When corresponding on this matter, please quote
Council's file number shown above.

Copy: Mr Bill Baumann MLA
Member for Albert
PO Box 454
OXENFORD 4210

*Greg, the information we requested from the
DEH regional office and the local
government has now been provided -
the allegation of contaminated fill
has not been substantiated. I recommend
the site not be listed on the ERM*

sch4p4(6) 21/12/98

*ARM
Agree, listing not
appropriate on
evidence.*

sch4p4(6)

Our Vision . . . is to ensure our City is the premier place to live, work and play.



Department of Environment

Southeastern Regional Office

South Coast District Office • Kabool Road West Burleigh QLD 4219

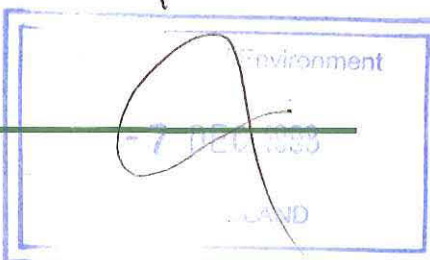
PO Box 3454, Burleigh Town LPO, Burleigh Heads QLD 4220

Telephone (07) 5535 3855 • Facsimile (07) 5576 3975

File reference
Your reference

C/SITES

901993



Memorandum

98/14628

To Greg O'Brien

Subject Allegations of a potential contaminated land site at Helensvale

Date 2 December 1998

I refer to a land site situated at 29 Eastern Court, Helensvale that is alleged to be "contaminated land". It is noted that the Hazardous Waste and Contaminated Sites Section are in the process of listing this site on the Environmental Management Register. Subsequently the South Coast District Office conducted an inspection of the site on 27 November 1998 to visually assess the alleged contaminated land.

The site was visually seen to have sloping characteristics, please see attached photos. The land was grassed and vegetated and there was no evidence of degradation. The owner informed me that there had been no problems with the site.

All the allotments on Eastern Court appeared to have the same characteristics. On this visual basis there appeared to be no evidence of land contamination at 29 Eastern Court, Helensvale.

Further to this site inspection it is recommended that information detailing the past land use of the site and any approvals for filling the site be acquired and assessed from the Gold Coast City Council.

Please find photos of the site attached and if you have any further queries please do not hesitate to phone on (07) 55353855.

Regards

sch4p4(6) Personal information

Sacha Webb
Senior Inspector

Notes



EMR

Lot 47 **Plan RP215136** **Category INVESTIGATE** **Record Type BP ID 24779**
Hist ID
LGA GOLD COAST CITY COUNCIL **Region SE** **AMA**
Site Name LANDFILL **Notified By OTHER** **Notif Rec'd 05/10/1998**
Street 29 EASTERN COURT **Entry Date 06/11/1998** **Last Altered 04/12/1998**
Suburb HELENSVALE **Post code 4212** **Ext Ref**
Owner Sch4p4(6) Personal information
Owner
Address
Haz Cont
Post code 4212
Area 5342 m² **File 901993** **Officer HOPPER**
Parcel C **Status** **Offsite Disposal Date**
Notifiable Activities
LANDFILL

Comments

Date	User ID	Corr No	Officer Name	Finalised	How Finalised	Registered Site ID 24779
06/11/1998	BIGNELT					
<p>NOTIFIED BY LETTER FROM SOUTH COAST DISTRICT OFFICE OF DEH DATED 1/10/98 (REF: 134623 3M/196). A GCCC RESIDENT, Sch4p4(6) Personal information INFORMED WEST BURLEIGH DISTRICT OFFICE THAT HE HAS OBSERVED HAZARDOUS & POLLUTING MATERIALS BEING DUMPED ON THIS SITE. FILL DUMPED BETWEEN 1993 - 1996 COMPLAINT STATES 8000M3 ASBESTOS LAGGING, INSULATION, PUTRESCIBLE GARBAGE, TIB RUBBISH.</p>						
04/12/1998	BIGNELT					
<p>RECATAGORISED TO INVESTIGATE. SUBMISSION FROM OWNER REC'D HWCSS 2/12/98 OBJECTING TO LISTING OF SITE ON EMR. FILE UPDATED TO 902303 AND OFFICER FIELD TO HOPPER. FILE REFERRED TO KAREN HOPPER FOR FOLLOW UP.</p>						
04/12/1998	BIGNELT					
<p>FILE NUMBER AMENDED FROM 902303 TO 901993 AS PER REQUEST OF A COOPER.</p>						

Tess Bignell
(07) 3227 6870

24779

6 November, 1998

The Chief Executive Officer
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE QLD 4217

Dear Madam/Sir

Re: L47/RP215136 - 29 Eastern Court, Helensvale, 4212.

Information provided to this Section by the South Coast District Office of the Department of Environment and Heritage has indicated that landfilling activities on the above site may have included disposal of regulated waste.

A Notice of Consideration of Listing Land on the Environmental Management Register has been sent to the owner, [sch4p4(6) Personal]. Can you please check through your records and provide any further information you may have on this site. You should note that [sch4p4(6) Personal] [sch4p4(6) Personal information] has already forwarded copies of correspondence between himself and Council dating back to 1994; the additional information sought from Council may take the form of photographs or notes which would indicate the composition or extent of filling.

If you have any queries regarding this matter, please do not hesitate to contact Miss Tess Bignell on the above telephone number.

Yours sincerely

[sch4p4(6) Personal information]

Ariane Milinovich
Acting Registrar
Hazardous Wastes and Contaminated Sites Section

f:\contam\tess\letters\lcalauth\GoldCoast.doc

Entered on EMR 6/11/98 "U" Site E.D. - 24779

Memorandum

To

File reference

From

Date 5/11/98

Subject

Notes

L 47/RP 215136

Possible Contaminated site @ Helensvale.

Fill dumped btwn 1993-1996

-complaint states 8000m³ Fill -
asbestos lagging + insulation, putrescible
garbage, tip rubbish.

Spdce to GCLC on 14/10/98 + they
have advised that IPA apply has
been withdrawn.

Given the complaint that has been
received, I believe that the site
should be placed on the EMR as
'U' + the owner given the chance to
appeal. A letter should also be
sent to the LG requesting any
additional info they may have
on the site to be forwarded to
HW+CSS within 30 days, to enable
a decision about the status of
the site to be made.

Further, a letter should be
forwarded to SE (GC Office) advising
of our actions + advising that
em harm issues should be addressed
in accordance with the usual
provisions within the EP Act.

sch4p4(6) Personal information

Tem.
sent owner 30
day letter - Adv 5/11/98
(info - EVAS attached)

pls draft letter
to LG - to A

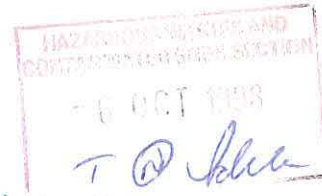
Entered on EMR 6/11/98
Site E.D. - 24779

sch4p4(6)

C/SITES



QUEENSLAND GOVERNMENT
Department of Environment
Southeastern Region



South Coast District Office • PO Box 3454, Burleigh Town LPO, Burleigh Heads QLD 4220
Kabool Road, West Burleigh QLD 4219 • Telephone (07) 5535 3855 • Facsimile (07) 5576 3975

Enquiries to
Telephone
Your reference
Our reference

Adrienne Wooding
(07) 5535 3855

134623 3m/196

1 October 1998

Attention: Ranald Scott

The Manager
Contaminated Sites Section
Waste Management Branch
Division of Environment
PO Box 155
BRISBANE ALBERT STREET QLD 4002



Dear Sir

Re: **Possible Contaminated Land Site at Helensvale**

I am writing to notify your section of a potentially contaminated site. A Gold Coast City resident, [sch4p4(6) Personal inform] has informed the West Burleigh District office staff that he has observed hazardous and polluting materials being dumped on Lot 47 RP 215136, located at 29- 31 Eastern Court, Helensvale. The material was dumped and used as fill on the site by the property owner during the years 1993 to 1996.

[sch4p4(6) Person] stated that in response to an earlier complaint of his about this matter the Gold Coast City Council order the property owner to remove the fill from the site.
* However, [sch4p4(6) Person] states that this order was never enforced and that the material was not removed prior to the site being sold to the current owner.

[sch4p4(6) Person] has provided the Department with a copy of correspondence he sent to the Gold Coast City Council on 1 September 1998, regarding this issue (attached).

If, as alleged by [sch4p4(6) Person] the site does contain hazardous material, contaminated leachate from the dumped material may be adversely affecting the environmental values of

Pagego, This may need to
be referred to
an Adviser

the Coombabah Lake wetlands, which are located approximately twenty metres from the site.

Staff from the West Burleigh District Office plan to undertake a joint inspection of the site with Gold Coast City Council in order to determine if any further action is warranted in regards to this matter.

If you wish to participate in this inspection please phone Adrienne Wooding on (07) 5576 4020.

Yours sincerely

sch4p4(6) Personal information

Adrienne Wooding
Senior Environmental Officer
West Burleigh District Office
Southeastern Region

Encl:

Copy of a FAX sent to Gold Coast City Council by

sch4p4(6) Personal info

cc

sch4p4(6) Personal information



QUEENSLAND GOVERNMENT
Department of Environment
Southeastern Region



C/SITES

South Coast District Office • PO Box 3454, Burleigh Town LPO, Burleigh Heads QLD 4220
Kabool Road, West Burleigh QLD 4219 • Telephone (07) 5535 3855 • Facsimile (07) 5576 3975

Enquiries to
Telephone
Your reference
Our reference

Adrienne Wooding
(07) 5535 3855

9 October 1998

134623 3m/206

Attention: Ranald Scott

The Manager
Contaminated Sites Section
Waste Management Branch
Division of Environment
PO Box 155
BRISBANE ALBERT STREET QLD 4002



Dear Sir

Re: Allegations of a potential contaminated land site at Helensvale

I refer to my letter of 1 October 1998, in which I notified your section of a potentially contaminated site on Lot 47 RP 215136, located at 29- 31 Eastern Court, Helensvale.

I have been advised by Mr Ian Yarroll to pass full responsibility for handling this allegation to your section, since the jurisdiction for managing contaminated sites falls within your section.

To facilitate this "handover" you are advised that my contact at the Gold Coast City Council is Mike Rodgers who may be contacted on (07) 5581 6000.

Please find enclosed further information sent to the Department by the complainant

sch4p4(6) Personal inform

sch4p4

Yours sincerely

sch4p4(6) Personal information

Adrienne Wooding
Senior Environmental Officer
West Burleigh District Office
Southeastern Region

14/10/98 - Spoke to
Gccc - Phillip Zappala
- 7/10 - Applicant now
withdrawn 19/10/98

sch4p

7 August 1998

Mr Phillip Zappala
Statutory Planning Branch, Nerang
(07) 5582-8259
covl 1812 kf:tn
PN154097/1/0

Affordable Housing Corporation
C/- K R Fulton and Associates
PO Box 330
RUNAWAY BAY QLD 4216

Dear Sir

INFORMATION REQUEST

You are advised that in relation to the Development Application lodged by:-

Affordable Housing Corporation
c/o K R Fulton and Associates
PO Box 330
Runaway Bay QLD 4216

in relation to development of land / premises described as:-

29 Eastern Court Helensvale
Lot 47 RP 215136

Council officers have reviewed the Development Application and supporting information and determined that further information is required to properly assess the application.

The information requested is as follows:

- 1 Traffic study detailing the suitability of access from Helensvale Road and any potential impact of the development on Helensvale Road.
- 2 Report prepared by a suitably qualified persons, on the proposed method of sewerage treatment and disposal for the proposed park residential allotment. This report is to quantify expected hydraulic and nutrient loads, describe the treatment process and recommend suitable disposal sites to ensure that there is no export of nutrients or pathogens from the development site, or contamination of the ground water, as a result of the proposed use. The report is also to identify any management and/or maintenance procedures required to ensure the long term effectiveness of the treatment process and buffering requirements for possible primary contact, virus transmission and/or odours.
- 3 The applicant is to provide details of drainage within the development site and any impact of the development external to the site.

Continued

Release

- 4 Hydraulic calculations are to be undertaken and must indicate no adverse effects external to the site arising from any increase in velocity and/or redirection of flow and no increase in the duration of inundation outside the site where such increases could cause loss or damage. Such calculations must be certified by a Registered Professional Engineer of Queensland.
- 5 Details of the volume of fill required and a plan indicating existing and finished contours.
- 6 A detailed site analysis prepared in accordance with Council' Site Analysis Policy. The plan shall also indicate the location of the closest land uses in the surrounding area.
- 7 The proposed plan of subdivision shall indicate the location of any existing drains and all existing pipes or mains for the supply of water, sewerage, electricity, telecommunications and any other services.
- 8 Preliminary acid sulfate soils investigation to be undertaken.
- 9 Stormwater management plan addressing the quality and quantity of stormwater during both the construction and operational phases including sediment and erosion control.
- 10 A tree inventory showing the location of all "protected species", the extent of the proposed clearing and identification of tree species by scientific and common names.
- 11 Information on the proposed quantities of petroleum products to be stored. Storage of over 10,000 L is an Environmentally Relevant Activity (ERA) as defined under the "Environmental Protection Regulation 1998" and requires an approval prior to commencement of the activity.
- 12 Details of all noise generating equipment, both stationary and mobile (including compressors, generators, security alarms) and proposed methods of minimising their impact.
- 13 Location and type of all light sources, including security, advertising and directional lighting. Information is to include impact of light levels at the boundaries of the site.
- 14 Soil permeability assessment and details of underground water table on the site to a depth of 15 metres.
- 15 Management strategies for dealing with the following:
 - containment of odour from vehicles, fuel storage (venting discharges) and venting recovery (storage) from fuel tank refilling.
 - liquid and solid waste collection, storage, treatment and removal/disposal.

Continued

Release

Acknowledgment Notice to Applicant
7 August 1998

Page 3

- leak detection strategies for all fuel product storage, pipelines and dispensers.
 - spill prevention and clean up procedures to be used on the site.
- 16 Details of the proposed location and type of fuel storage to be used including location and type of associated pipe work.

Response to this Information Request should be forwarded to:-

Phillip Zappala
Statutory Planning Branch
PO Box 5042
GOLD COAST MAIL CENTRE QLD 9729

Should you wish to clarify any issues contained in the above letter please do not hesitate to contact Phillip Zappala on telephone number (07) 5582-8689.

Yours faithfully

sch4p4(6) Personal information

for

Ian Glew

MANAGER STATUTORY PLANNING

G:\SHARE\DEVASSES\INFOREQ\154097.DOC

K Hopper
77983

5 November, 1998

MEMORANDUM TO: Mr Ian Yarroll, Principal Environment Officer,
West Burleigh District Office, Southeastern Region

SUBJECT: Allegations of a potential contaminated land site at
Helensvale

I refer to the correspondence from your office dated 1 and 9 October 1998 concerning the above.

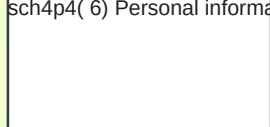
The Hazardous Waste and Contaminated Sites Section (HW&CSS) are proceeding with the process of listing this site on the Environmental Management Register (EMR). It is expected that the owner will object to the proposed listing and it would need to be determined by independent studies that substantial quantities of wastes, other than inert concrete and demolition type materials, were deposited in the site.

At this stage, the site has not been proven to be 'contaminated land' in accordance with Part 9B of the Environmental Protection Act 1994 and complaints concerning the effect on environmental values and environmental harm should be dealt with under the existing provisions of the EP(Act) in the usual manner.

Please forward any additional information revealed during your investigations which may be relevant to our files.

Regards

sch4p4(6) Personal informa



Greg O'Brien
Chief Scientific Advisor (Contaminated Sites Section)

Date 3 December 1996
Contact Mr G Green
Location Nerang
Telephone (07) 5578 0414
Your Reference
Our Reference 604/12-14525/29

Address all correspondence to
Chief Executive Officer
PO Box 5042
Gold Coast MC QLD 9729 AUSTRALIA



Gold Coast City Council

City of Vision

Nerang Office Telephone (07) 5578 0211
Fax (07) 5596 3653

Surfers Paradise Office Telephone (07) 5581 6000
Fax (07) 5581 6346
Telex (07) 55AA4 1461
DX42161 Bundall

sch4p4(6) Personal information

Dear Sir/Madam

USE OF LOT 47 RP 215136 KNOWN AS 29-31 EASTERN COURT, HELENSVALE

Reference to your letters dated 7 and 20 November 1996, Council advises that the subject property has been given approval to carry out earthworks (Change the Level of the Land) subject to a number of conditions.

At the completion of the approved earthworks a further inspection will be carried out by Council to ensure that the conditions have been complied with.

Please find attached a copy of the relevant approval and conditions.

Should you wish to clarify any issues contained in the above letter please do not hesitate to contact Greg Green on (07) 5578-0414.

Yours faithfully

sch4p4(6) Personal information

for Ian Glew
MANAGER STATUTORY PLANNING

encl

jl:devcomp\gregg\mcgrath5

Our Vision ... is to ensure our City is the premier place to live, work and play.

Nerang Office - Nerang Southport Road, Nerang

Surfers Paradise Office - 135 Bundall Road, Surfers Paradise

6 November 1996

Mr Allan Lush
Nerang
(07) 5578 0406

604/12-14525/29

sch4p4(6) Personal information

41

sch4p4(6) Personal information

PO Box 177
HELENSVALE QLD 4210

Dear Sir,

CHANGE TO GROUND LEVEL APPLICATION; LOT 47 RP215136

With reference to your letter dated 25 September 1996 and to the Schlencker Surveying Pty Ltd contour plan, Council advises the following:

1. That the filling is to be limited to a maximum depth of 200mm in the hollow area tapering up to finish in the existing ground level.
2. That the filling is to be limited to the hollow area near the southern boundary extending to 12m from the northern boundary, as indicated on the attached sketch.
3. The proposed filling along the northern boundary and the eastern boundary (bordering the railway property (2 RP209833) is not approved, as indicated on the attached sketch.

Terms, Conditions and Amendments:

The Change to Ground Level application for Lot 47 RP215136 is restricted to the points listed above. The Change to Ground Level application is approved subject to the following conditions:

1. Site works, construction works or the like shall be conducted only between the hours of 7.00 am and 6.00 pm Monday to Saturday inclusive. No such works shall be carried out outside these hours or on Sundays or public holidays, unless specifically approved by the Chief Executive Officer.
2. Provision shall be made for the land to be maintained in a clean and tidy state at all times. Satisfactory arrangements shall be made for the collection, storage and disposal of all waste materials.
3. The owner shall water the site and/or use other means to prevent dust from affecting surrounding properties.
4. The fill material will be stabilised by turfing immediately after the final levels are completed.
5. All excess fill material is to be removed from site for disposal in an acceptable location off site to the satisfaction of the Chief Executive Officer.

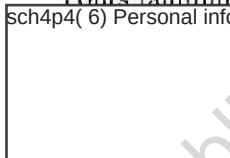
6. No fill is to be placed along the northern boundary and the eastern boundary, bordering the railway property (2 RP209833), as indicated on the attached sketch.
7. The profile of the filling is to be limited to a maximum depth of 200mm in the hollow area tapering up to finish in the existing ground level. The volume of fill to be utilised is limited to 20m³.
8. The approved filling is to be limited to the hollow area near the southern boundary extending to 12m from the northern boundary, as indicated on the attached sketch.
9. The finished fill must be free draining and must be completed in manner that does not adversely impact upon neighbouring properties by causing pondage, concentrating flows or restricting existing flows, to the satisfaction of the Chief Executive Officer.

It is important to note that **any work constructed prior to the approval** of the Change to Ground Level Application may, at the direction of the Chief Executive Officer be reconstructed to suit Council's requirements at the developer's cost.

It is noted that further works may be required as directed by the Chief Executive Officer as a result of on-site inspection, where such works are necessitated by errors or omissions in the submitted design.

Should you wish to clarify any issues contained in the above letter please do not hesitate to contact Mr Allan Lush on (07) 5578-0406.

Yours faithfully
sch4p4(6) Personal info



Ian Glew

MANAGER STATUTORY PLANNING

Thursday, 7 November 1996

The Chief Executive Officer
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE QLD 9729

Dear Sir

USE OF LOT 47 RP 215136 KNOWN AS 29-31 EASTERN COURT, HELENSVALE
YOUR REFERENCE: (3)604/12-14525/29

I wish to advise Council of two important issues relating to the above matter.

Firstly, Council's April 16 letter of demand to the owner of the property, that the owner rectify the illegal filling of his land, has, *prima facie*, been ignored by the owner. The property is in exactly the same state now as it was in April.

Secondly, the said property is on the market for sale by public auction on November 27 1996.

I am duly concerned that the current owner, by selling off the property, is positioning himself to walk away from his legal obligation to reinstate the land, and that a new owner can move in without being bound to any legal obligation to do so either.

Sch4p4(6) Personal information

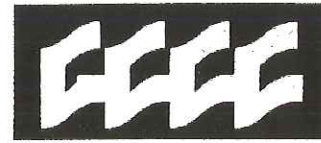
Because of the on-going degradation caused to my property, I am directly concerned with the outcome. I therefore request formal advise from Council regarding

1. who will be held responsible to reinstate the said property,
2. when will they be obliged to complete reinstatement of the property, and
3. to what standards of reinstatement will they be obliged to conform.

Yours faithfully,

Date 22 April 1996
Contact Mr G Green
Location Nerang
Telephone (07) 5578 0414...
Your Reference
Our Reference (3)604/12-14525/29

Address all correspondence to
Chief Executive Officer
PO Box 5042
Gold Coast MC QLD 9729 AUSTRALIA



Gold Coast City Council

City of Vision

Nerang Office Telephone (07) 5578 0211
Fax (07) 5596 3653

Surfers Paradise Office Telephone (07) 5581 6000
Fax (07) 5581 6346
Telex (07) 55AA41461
DX42161 Bundall

The Occupant
29-31 Eastern Court
HELENSVALE QLD 4210

Dear Sir/Madam

USE OF LOT 47 RP 215136 KNOWN AS 29-31 EASTERN COURT, HELENSVALE

The purpose of this letter is to advise you that Council has received a written complaint regarding the subject property.

The written complaint specifically refers to the importing of fill onto the subject property and the subsequent changing of the level of the land without approval of Council.

The Town Planning Scheme which controls land use within the Gold Coast Council precludes the changing the level of land without the approval of Council.

Herewith, for your information the text of section 12.26 of the aforementioned Town Planning Scheme.

DRAINING OR FILLING OR CHANGING THE LEVEL OF LAND

12.26.1 Whether or not the consent of the Council is required under the Planning Scheme for development (not being a dwelling house) the owner, before any use is commenced or plans of the proposed building or other structure are submitted for approval to the Council, shall ascertain the Council's requirements if any, as to draining or filling or changing the levels of the subject land to render it fit for such use or building or other structure.

12.26.2 The owner shall comply with all such requirements which shall be deemed to be a condition of approval of the building plan if the erection of a building or other structure as aforesaid is proposed.

12.26.3 No person shall fill or change the level of any land without first obtaining the approval of the Council. Council may require a hydraulic study, in a form satisfactory to Council, to be prepared by the applicant in order to demonstrate that the filling proposed will not adversely effect flooding or drainage in the catchment.

cont'd

Our Vision ... is to ensure our City is the premier place to live, work and play.

Nerang Office - Nerang Southport Road, Nerang

Surfers Paradise Office - 135 Bundall Road, Surfers Paradise

12.26.4 Where a development is likely to have an adverse impact upon a wetland, Council shall require a hydrological study, in a form satisfactory to Council, to be prepared by the applicant in order to ascertain whether the filling or draining proposed will adversely effect the wetland.

12.26.5 No person shall cause any dust nuisance in the movement of any material and shall ensure that the site fill material being removed or introduced to the site is dampened to the requirements of Council.

12.26.6 All activities carried out or associated with the filling of any land shall be conducted in such a manner to ensure that water pollution does not occur.

12.26.7 No contaminated soil or other contaminated material shall be used as fill.

12.26.8 The owners or the applicant must confirm the status of any waterway or water holding lands as to whether they are classified as 'Water of the State'. If so, consultation with the appropriate State Government Authority is required.

A check of the Council records has failed to reveal any application to change the level of the subject land, therefore the unlawful use should cease forthwith.

If you choose not to apply to Council to gain approval to change the level of the land on the subject property, the land should be returned to that state which prevailed prior to the commencement of earthworks.

With regards to your access from Helensvale Road, you are advised that Helensvale Road along the rear of your property is a limited access road and therefore you are prohibited from turning off the road into your property.

You should also be aware that the Local Government (Planning and Environment) Act provides that a breach of the Town Planning Scheme constitutes an offence. Upon conviction, you are liable to a penalty of up to \$1980.00 and, in addition to a further penalty of up to \$300.00 for each and every day upon which the offence continues.

Should you have any questions relating to this letter, please contact the Council.

Yours faithfully

sch4p4(6) Personal information

sch4p4(6) P

Warren Rowe

**DIRECTOR PLANNING,
DEVELOPMENT & TRANSPORT**

jl:devcomp\gregg\mcgrath

Sch4p4(6) Personal information

Published on DES Disclosure Log
RTI Act 2009

HELENSVALE / RIVERDOWNS

EX-DISPLAY HOME TO LET

Features:

- 3 Bedrooms
- 10 minutes to Southport
- Ensuite
- End of cul-de-sac
- DLUG
- Outdoor Pets Considered
- Curtains to be fitted Thur 21st Dec
- With or without use of adjacent 1 acre block

Tenants responsible for lawn and gardens around house to the bottom of the hill at the back. (as you can see the previous residents left the 1 Acre block at the back in a mess. The owners are clearing away the rubbish, are going to build up the level of the block and will look after the upkeep of this block.

walking distance to schools quiet street bush setting

29-31 Eastern Crt Riverdowns

\$ 195.00 / wk
\$195.00 / week

For more information phone:

sch4p4(6) Personal information

or

The Professionals Real Estate

5591 8333

ALBERT SHIRE COUNCIL



Address all correspondence to
Chief Executive Officer
P.O. Box 172 Nerang
Qld. 4211.
Administration Centre:
Nerang-Southport Rd.,
Nerang, Queensland.
Tel: 075 78 0211
Fax: 075 96 3653

Your Ref:
Our Ref: **LB:604/12-14525/29**
Enquiries contact: **Mr G Green**

8 November 1994

sch4p4(6) Personal information

Dear Sir

**USE OF LOT 47 RP 215136, 29-31 EASTERN COURT, HELENSVALE -
ZONED RURAL A**

The purpose of this letter is to confirm advice to you by a Council Officer on 7 November 1994, during an inspection of your property.

As you were advised, the Town Planning Scheme, which controls land use within the Albert Shire **prohibits you from running a nursery** from a Rural A property.

Accordingly the activity should cease forthwith.

You should also be aware that the Local Government (Planning and Environment) Act provides that a breach of the Town Planning Scheme constitutes an offence. Upon conviction, you are liable to a penalty of up to \$1,980 and, in addition to a further penalty of up to \$300 for each and every day upon which the offence continues.

With regards to your access from the proposed extension of Helensvale Road, **access to your block** from this road will be prohibited in the immediate future.

Should you have any questions relating to this letter, please contact the Council.

Yours faithfully

b/c P J Robinson/
(for your information)

for **T R Moore**
CHIEF EXECUTIVE OFFICER

