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Green Square
South Tower – Level 1
505 St Paul's Terrace
FORTITUDE VALLEY QLD 4006
GPO Box 1434
BRISBANE QLD 4001

Our Ref: 100404
Council Ref: **A002422109**
Referral Ref: 325626

Date: 23rd September 2011

Attn:

Department Of Environment and Resource Management
PO Box 15155
CITY EAST QLD 4002

RECEIVED
30 SEP 2011

PaLM



Dear Sir/Madam,

RE: REQUEST TO WITHDRAW DEVELOPMENT APPLICATION

We write on behalf of the Applicant, our Client, City Parking, in relation to the Development Application seeking Preliminary Approval under s243 for Material Change of Use (Sport & Recreation & Park) made over land located at 450 Gooderham Road, Willawong, more formally described as Lot 7 on SP183655. The Development Application was lodged with the Brisbane City Council on 8th September 2009 and is currently in the Information Request Stage (subject to extensions).

It is now advised that the findings of the SIMTARS air quality assessment prepared in relation to Ace Waste and potential air quality impacts it creates on the site render it unsuitable for the intended use. Therefore this proposal can not proceed at this time. As such, on behalf of Brisbane Lifestyle, we seek to formally withdraw the application currently before Council and the Referral Agencies, pursuant to Section 356 of the *Sustainable Planning Act 2009*.

In addition, we wish to seek a refund of the Development Assessment fees paid, minus the costs required for Council's assessment of the application.

We trust this information is sufficient for your purposes; however should you require any further clarification or information, please do not hesitate to contact the writer by telephone on (07) 3027 4674.

Yours sincerely,

49-Sch4 - Signature

Tom Foster
Senior Urban Planner
Planning Unit
City Projects Office – Brisbane City Council

cc Elliot Thornton- Brisbane City Council

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DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT

SEARCH RESPONSE

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

Transaction ID: 1245159 EMR Site Id: 89391
This response relates to a search request received for the site:
Lot: 13 Plan: SP228490

30 July 2010

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. Subdivided new parcels will remain on the EMR unless it can be shown that they are not located near the contaminating activity.

Lot: 5 Plan: SP183655
Address: 369 - 451 SHERBROOKE ROAD
WILLAWONG 4110

The site has been subject to the following Notifiable Activity pursuant to section 374 of the *Environmental Protection Act 1994*.

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

A site management plan has been prepared for this site and is included with this search response as Annexure 1. It has been determined that this site is suitable for the following uses, providing the site is used and managed according to the site management plan:

Suitable for industrial/commercial use including premises such as shops, offices and industrial buildings (but excluding uses where regular soil access by children is possible).

Following the date of effect of the site management plan, subsequent uses of the site for notifiable activities or for situations where a hazardous contaminant is released into the soil may result in the need to review suitable uses or amend the attached site management plan.

CLR RESULT

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

ADDITIONAL ADVICE

EMR/CLR Searches may be conducted online through the State Government Website
www.smartservice.qld.gov.au or Citec Confirm www.confirm.com.au.

If you have any queries in relation to this search please phone (07) 3330 5687.

Lindi Bowen
Registrar, Contaminated Land Unit

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ANNEXURE 1 - SITE MANAGEMENT PLAN

LOT : 5 PLAN : SP183655 FILE REF : BNE24336 PRINTED: 30/07/2010

DATE OF EFFECT : 12/03/2009
SITE MANAGEMENT PLAN

Lot 5 on SP183655

1.0 SUMMARY OF CONTAMINATION

Contamination investigation and assessment work identified that Willawong Area 4 (Lot 5 on SP183655) was historically used for liquid waste treatment and the disposal of drums containing heavy metal waste and laboratory and pharmaceutical wastes.

Low levels of metals and hydrocarbons exceeding Environmental Investigation Levels (EIL, EPA, 1998) have been identified within the site.

The following maximum contaminant concentrations have been reported in soils at the site:

Arsenic	32 mg/kg
Cadmium	113 mg/kg
Total Chromium	1270 mg/kg
Copper	822 mg/kg
Lead	5920 mg/kg
Total Mercury	11.4 mg/kg
Nickel	153 mg/kg
Zinc	6080 mg/kg

TPH

C ₆ -C ₉ fraction	
C ₁₀ -C ₁₄ fraction	5,830 mg/kg
C ₁₅ -C ₂₈ fraction	19,000 mg/kg
C ₂₉ -C ₃₆ fraction	16,500 mg/kg

The following maximum contaminant concentrations have been reported in groundwater at, or in the immediate vicinity, of the site:

Cadmium	114 µg/L
Copper	26.19 µg/L
Lead	121 µg/L
Nickel	284 µg/L
Zinc	1103 µg/L

TPH

C ₁₀ -C ₁₄ fraction	3,400 µg/L
C ₁₅ -C ₂₈ fraction	5,490 µg/L
C ₂₉ -C ₃₆ fraction	5,250 µg/L

Ammonia	1,400µg/L
Total N	48,926µg/L
Total P	5,497µg/L

2.0 OBJECTIVES OF THE SMP

The purpose of this SMP is to manage contamination on the site in a manner that protects human health and the environment.

3.0 ACHIEVEMENT AND MAINTENANCE OF OBJECTIVES

3.1 Responsibility. The owner of the land (as defined in the *Environmental Protection Act 1994*) is to ensure that this SMP and any variations approved or required by the administering authority are complied with. The obligations and conditions set out in this SMP bind the owner, from time to time, of the land.

3.2 Site Use.

Area of bus depot (Part of Lot 5 on SP183655)

The area detailed on Figure 1 and defined by the meets and bounds survey below is suitable for commercial/industrial land use subject to compliance with the provisions of this site management plan.

The commercial/industrial development site area (Bus Depot Area) being described as part of Lot 5 on SP183655 is defined by the following meets and bounds:

Commencing at a point being the south west corner of Lot 5 on SP183655 and thence bounded by lines:

BEARING	17°14'45"	FOR A DISTANCE OF	267.932m
BEARING	15°48'58"	FOR A DISTANCE OF	9.805m
BEARING	107°14'11"	FOR A DISTANCE OF	204.200m
BEARING	197°14'11"	FOR A DISTANCE OF	286.591m
BEARING	259°40'0"	FOR A DISTANCE OF	38.095m
BEARING	284°42'33"	FOR A DISTANCE OF	123.325m
BEARING	5°27'25"	FOR A DISTANCE OF	27.643m
BEARING	293°56'32"	FOR A DISTANCE OF	41.668m

To the point of commencement and containing an area of 61,053 square metres more or less.

Area of road reserve

The area detailed on Figure 2 and defined by the meets and bounds survey below is suitable for use as a road reserve and associated infrastructure subject to compliance with the provisions of this site management plan.

The road reserve area is defined by the following meets and bounds:

Commencing at a point being the north east corner of Lot 5 on SP183655 and thence bounded by lines:

BEARING	174°59'0"	FOR A DISTANCE OF	24.010m
BEARING	258°45'7"	FOR A DISTANCE OF	165.200m
BEARING	247°17'43"	FOR A DISTANCE OF	3.485m
BEARING	224°22'56"	FOR A DISTANCE OF	3.485m
BEARING	201°28'8"	FOR A DISTANCE OF	3.485m
BEARING	190°0'44"	FOR A DISTANCE OF	150.418m
BEARING	193°37'28"	FOR A DISTANCE OF	32.241m
BEARING	197°14'11"	FOR A DISTANCE OF	213.941m
BEARING	192°36'47"	FOR A DISTANCE OF	5.763m
BEARING	183°21'58"	FOR A DISTANCE OF	5.763m
BEARING	174°7'9"	FOR A DISTANCE OF	5.763m
BEARING	164°52'20"	FOR A DISTANCE OF	5.763m
BEARING	155°37'32"	FOR A DISTANCE OF	5.763m
BEARING	146°22'43"	FOR A DISTANCE OF	5.763m
BEARING	141°45'18"	FOR A DISTANCE OF	4.968m
BEARING	164°54'35"	FOR A DISTANCE OF	9.936m
BEARING	188°3'52"	FOR A DISTANCE OF	22.910m
BEARING	259°40'0"	FOR A DISTANCE OF	57.589m
BEARING	17°14'11"	FOR A DISTANCE OF	287.758m
BEARING	15°25'50"	FOR A DISTANCE OF	30.807m
BEARING	11°49'6"	FOR A DISTANCE OF	30.807m
BEARING	10°0'44"	FOR A DISTANCE OF	160.437m
BEARING	86°20'33"	FOR A DISTANCE OF	23.156m
BEARING	78°45'7"	FOR A DISTANCE OF	164.519m

To the point of commencement and containing an area of 16,654 square metres more or less.

Balance of Lot 5 on SP183655

The Remainder of Lot 5 on SP183655 is suitable for commercial/industrial land use subject to input into and approval of site infrastructure design and construction methods by an appropriately qualified and experienced person as defined under Section 381 of the EP Act.

3.3 *Provision of SMP to Appropriate Persons.* The owner must provide all persons involved in building design and planning and all contractors and lessees conducting building and/or excavation works with a copy of the SMP prior to the commencement of works. All persons

occupying or working on the site must comply with the requirements of the SMP.

3.4 *Surface Capping and Protective Barriers.*

Area of bus depot

A capping layer consisting of a concrete slab or bitumen/asphalt paving on a minimum of 200mm of compacted gravel base or compacted clay fill to a minimum depth of 450mm or other equivalent cover is to be maintained over the bus depot area to maintain a barrier between potentially contaminated soil and site users.

The integrity of the capping material is to be maintained to prevent/minimise erosion of capping layers.

Area of road reserve

A capping layer consisting of a concrete slab or bitumen/asphalt paving on a minimum of 200mm of compacted gravel base or compacted clay fill to a minimum depth of 450mm or other equivalent cover is to be maintained over the road reserve area to maintain a barrier between potentially contaminated soil and site users.

The integrity of the capping material is to be maintained to prevent/minimise erosion of capping layers.

Balance of Lot 5

A capping layer consisting of a concrete slab or bitumen/asphalt paving on a minimum of 200mm of compacted gravel base or compacted clay fill to a minimum depth of 450mm or other equivalent cover is to be maintained over the balance of Lot 5 to maintain a barrier between potentially contaminated soil and site users.

The integrity of the capping material is to be maintained to prevent/minimise erosion of capping layers.

3.5 *Service Trenches.* Where service trenches extend to within 450mm of the original ground surface level, the trench must be over-excavated in order to provide for a minimum of 450mm of uncontaminated fill material separating the service from the original ground surface level. Alternatively, the trench must be completely lined with impermeable material such as Geosynthetic Clay Liner (GCL), HDPE liner or an equivalent material.

3.6 *Bioretention Swale Design*

Where bioretention swales are included in the bus depot design the base of the swale will be lined using either a 300mm layer of compacted clay with a permeability less than 1×10^{-9} m/s, a geosynthetic clay liner (GCL) or a HDPE liner with equivalent or lower permeability. Where trees are planted in swales a minimum depth of growing medium suitable for the particular tree species will be provided.

3.7 *Tree Planting.* Where trees are required tree trenches are proposed. These trenches will be constructed in a manner that ensures a 500mm separation layer from the base of any tree trenches to the original ground surface is maintained. The existing cap will be removed to allow

for tree planting trenches. Tree trenches will be 1500mm deep and the design profile will be 400mm of topsoil underlain by 1.1m of clean fill material.

3.8 General Garden Beds. In cases where planting of shallow rooted species only is proposed the profile of the garden beds for establishment of such species will be sufficient to ensure a 500mm separation layer from the anticipated rooting depth to the original ground surface is maintained.

3.9 Underground Storage Tanks. In the case that underground storage tanks are installed on site for water storage purposes, such tanks will be constructed of concrete or other impermeable material. Any excavation conducted for the installation of underground water storage tanks, or for any other purpose, shall be undertaken in accordance with sections 3.10 to 3.13 below.

3.10 Soil Excavation and Removal. Any soil excavated on the site must be assessed for contaminants of concern to determine if the material is contaminated and to identify appropriate management and disposal/re-use options.

Representative sampling and analysis of soil from excavations below the original ground surface must be managed by a suitably qualified and experienced person in accordance with Section 381 of the *Environmental Protection Act 1994* (EP Act). Contaminated soil must not be removed off-site without a disposal permit in accordance with Section 424 of the EP Act.

3.11 Unexpected Contamination. If during any site earthworks or excavation, offensive or noxious odours and/or evidence of waste or contamination not previously detected are observed, site works are to cease in that area and action taken to immediately prevent or minimise environmental harm. The administering authority is to be notified in writing within two (2) business days of detection and advised of any remedial action undertaken.

Any remedial action is to be developed by an appropriately qualified and experienced person in accordance with Section 381 of the EP Act.

3.12 General Environmental Protection. All earthworks are to be undertaken in accordance with general environmental protection measures to avoid unwanted migration and deposition of soil. These measures include the control of dust, noise, stormwater runoff, sediment, erosion, spillage from haulage trucks and odour releases involving the handling or movement of contaminated material. The use of groundwater at the site must not occur unless an investigation provides information that the ground water at the site is suitable for the proposed use and the EPA gives written consent for such use to occur.

3.13 Workplace Health and Safety. A Workplace Health and Safety Plan (WH&S plan), which conforms to the requirements of the *Workplace Health and Safety Act 1995* is to be developed for any site excavation works in contaminated areas. The WH&S plan must specifically address contaminants of concern.

4.0 MONITORING AND REPORTING

Records are to be kept of all inspections, any soil excavation in contaminated areas, disposal permits and site management plan compliance for review by the administering authority from time to time. A biennial inspection is to be undertaken to ensure that capping and protective barriers remain in sound condition at all times in accordance with section 3.4.

All monitoring and reporting is to be conducted by a member of a prescribed organisation with relevant qualifications and experience according to Section 381 of the *Environmental Protection Act 1994*.

This Site Management Plan (SMP) has been developed to manage site contamination risks present at the issue date. Subsequent uses of the site may result in the need to review the plan.

This SMP makes reference to plan attachments that are available from the Administering Authority if required.

To execute a new search, select the "Back" button on the browser twice

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RTI Act 2009

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ENVIRONMENTAL PROTECTION AGENCY

SEARCH RESPONSE

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

Transaction ID: 1172103 EMR Site Id: 78464 12 October
2009

This response relates to a search request received for the site:

Lot: 7 Plan: SP183655

EMR RESULT

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Address: 369-451 SHERBROOKE ROAD
WILLAWONG 4110

The site has been subject to the following Notifiable Activity pursuant to section 374 of the *Environmental Protection Act 1994*.

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Lindi Bowen
Registrar, Contaminated Land Unit

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eco maps

12/10/2009

Queensland Environmental Protection Agency

Brisbane City Council

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