

Memorandum

To Filenote
From Mark Paton
Subject Telecon Record

File reference

Date 7/7/2005

sch4p4(6) Personal information

Notes

General discussion regarding the site - sch4p4(6) Pe
identified that he was acting on behalf on a
potential purchaser. sch4p4(6) P asked about
the potential implications for the site being on
the EMR. I provided general advice about
the purchaser being aware of potential impact
(suggested further investigation to determine
site history - aerial photographs, Council & local
historical society), unless evidence that human
health was being affected no Notice to Remediate
would be issued, purchaser taking on liability
for contamination. I encouraged sch4p4(6) Pe to
establish further details and that because the
site was on the EMR it did not imply
extensive contamination.

I indicated that the owner had an obligation
to inform the purchaser that the site was
on the EMR.

sch4p4(6) Personal information

7/7/2005

Memorandum

To _____ File Reference _____
From _____
Subject _____ Date _____
Notes _____

s.73 irrelevant information

Roadworks on 16/3/05. Tilt backing from 72 Torquay Rd
to owners

Hervey Bay North site 7/4/05

sch4p4(6) Personal ii

14/4/05 LHS spoke to owner. Told at purchase that
it may have been a servo. Had this checked
out - have docs to show this. - copies requested

5/4/05 letter from Council to owner. Service station
with kerb side petrol pump was located on site

Letter dated 29/4/05 shows searches of RMR. Solicitor → proceeded
with purchase

RPA letter 6/5/05

Memorandum



Queensland Government
Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Service

Enquiries
Telephone
Your reference
Our reference

(07) 3227 7258

To: Miguel Zavaleta - Romero

From: Annemarie Lewis ^{Acting} Registrar (EMR/CLR)

Subject: Listing on EMR - 1AP151930

sch4p4(6) Personal information

Miguel Can you please call from Daniel Lawyers. You talked to him this morning re remediation at Service Station Site is Listed for Service Station but he called Council and site is Zoned Residential. See attached KIMS + LIS'S NOTES.

He wants to talk about the DA for Residential etc. This site did not come up listed in 2003. Was not notified.
Thanks

sch4p4(6) Personal information

sch4p4(6) Personal info

Phone number

sch4p4(6) Personal information

Acting Registrar (EMR/CLR)

Page 1 of 1

288 Edward Street • Brisbane, Queensland • PO Box 2771 Brisbane QLD 4001 • AUSTRALIA
Telephone (07) 3227 7370 • Facsimile (07) 32473278 • www.epa.qld.gov.au

Enquiries
Telephone
Your reference
Our reference 1/RP151930

6th May 2005

sch4p4(6) Personal information

Dear sch4p4(6) Personal inform

Re: 1/RP151930 – 72 Torquay Road Pialba

Thank you for your letter of 22nd April 2005 in response to discussion with Elizabeth Black on the 14th April 2005.

I refer to the above site, which has been listed on the Environmental Management Register (EMR) for the notifiable activity of Service Stations. Land that has been used in the past for a notifiable activity must be listed on the EMR. Just because an activity has ceased does not guarantee the site has not been contaminated by that activity.

Entry on the Environmental Management Register does not mean the land is contaminated nor implies that the management of activity on the site is in any way lacking. It does not mean land must be cleaned up or the current land use must stop. Remediation would only be required if there was evidence that the site presented an unacceptable health or environmental risk for its current use.

If you wish to have this site removed from the EMR, it will need to be investigated by a suitably qualified person, as described in Section 381 of the EP Act. A site investigation report is prepared by this person and submitted to this Agency for examination by our scientific advisors. The fee for consideration of a site investigation report in relation to land that is listed on the EMR is \$922.00 per lot. A decision is then made as to whether the site can be removed from the EMR, or whether it should remain listed as a Managed site with an appropriate Site Management Plan (SMP). The SMP will set out conditions and restrictions in relation to the use of the land; these conditions address residual levels of contamination remaining on the site and provide guidelines on acceptable usage.

More information on management of contaminated land is available on our website at www.epa.qld.go.au under "Contaminated Land". I refer you in particular to the Draft Guidelines document.

If you have any queries regarding this matter, please do not hesitate to call me on (07) 3227 7258.

Yours sincerely,

Annemarie Lewis
Registry Officer
Contaminated Land Unit

BNE 2005/6481

Lindie
pl list service station
"W" - see attached
notif of land from
local council.
Thanks
4/05/05

[redacted] sch4p4(6) Personal informa

22nd April 2005

Environmental Protection Agency
GPO Box 2771
Brisbane 4001

Attention Elizabeth Black

Further to our discussion by phone on Thursday 14th April in regard to the property at 72 Torquay Road, Pialba.

Enclosed are relevant searches that were carried out for contamination verification due to a discovery of a service station having been on this property. This information was from a commercial tenant trading at this address. My husband rang the council to enquire about the service station authenticity and was told that it was not listed. This information was passed onto our solicitor who carried out relevant searches. With confirmation that the land was not listed on either the Environmental Management Registrar or the Contaminated Land Registrar, which understandably was a significant concern, we then proceeded with the purchase.

A photocopied letter has been included with a recent communication from the Hervey Bay City Council to us. My husband and the contact officer, Terry Thompson, have met on site and discussed requirements for a controlled drainage system which has now been completed.

Our concern now is that we are to be penalized by having our property put on the Contaminated and/or Environmental Registrar when evidence provided at the time of purchase was in our favour. Obviously what significance this will have for us financially and for resale is in question.

For further enquiries we may be contacted on [redacted] sch4p4(6) Personal or on my husbands mobile [redacted] sch4p4(6) Personal

Regards, [redacted] sch4p4(6) Personal

[redacted] sch4p4(6) Personal information

Owner [redacted] sch4p4(6) Personal information



QLD ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 572559 Site ID: 07 October 2003

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

Lot: 1 Plan: RP151930

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

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

ADDITIONAL ADVICE

If you have any queries in relation to this search please phone (07) 3227 7370.

Tess Dobinson
Acting Registrar, Contaminated Land Unit

QLD ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 572562 Site ID: 07 October 2003

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

Lot: 2 Plan: RP151930

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

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

ADDITIONAL ADVICE

If you have any queries in relation to this search please phone (07) 3227 7370.

Tess Dobinson
Acting Registrar, Contaminated Land Unit



Contact officer: Terry Thompson
Phone: 41974601
Our reference: DOCS#627024

msg left 8/4/05
R.D.O.

5 April 2005

P.O. Box 5045
TORQUAY
QLD 4655

sch4p4(6) Personal information

Dear sch4p4(6) Personal information

**LOT 1 RP 151930 AT 72 TORQUAY ROAD
CONTAMINATED SITE**

As part of works associated with the reconstruction of Torquay Road, Wide Bay Water Corporation on the 16 March 2005 undertook excavations in the footpath fronting 72 Torquay Road. The excavation exposed soil and leachate heavily contaminated with hydrocarbons.

Enquiries with the Environmental Protection Agency identified that the site was not contained on the contaminated land register. Further inquiry indicated that a service station with kerb side petrol pumps was once located at 72 Torquay Road. Council has subsequently undertaken exploratory excavations in the footpath fronting the property. The excavations to 1.5 metres deep failed to identify any old fuel tanks or other significant infrastructure associated with the contamination within the road reserve. A 300mm thick concrete curtain wall to 1.5 metres deep has been constructed along the frontage of the property to prevent contaminated leachate entering service trenches or subsoil drainage systems that could convey the leachate into stormwater drains where it could endanger the environment.

As required by the Environmental Protection Act, Council has forwarded details of the contaminated land discovery to the Environmental Protection Agency.

A general inspection of the building and property has identified that the roof water discharges to the ground and flows under the building to areas where the source of the contaminating hydrocarbons is most likely to exist. Council is concerned that the continued uncontrolled discharge of roof water will significantly increase the likelihood of further contaminated leachate discharging from the site.

Clause 32 (2) of Local Law 18 (Roads) states;

"A person must not, without the Local Government's authority, deliberately discharge an offensive liquid or substance onto a Local Government road."

You are therefore requested to take prompt action to comply with requirements of this Local Law and construct a drainage system within the property to collect roof water and where practical surface water to prevent leaching of contaminants from the property. To assist with drainage of the site, Council will be pleased to negotiate the construction of a storm water drainage connection across the footpath to the road drainage system that will be constructed as part of the road works.

77 Tavistock St
HERVEY BAY

Telephone: 07 4197 4444
Facsimile: 07 4197 4455

File A: www.herveybay.qld.gov.au

If positive action is not taken within 30 days to provide a storm water drainage system and comply with this request, a formal notice of the breach of the Local Law will need to be issued. If I am able to provide any additional information in regard to the above or able to meet you or your representative on site to discuss the requirements for the drainage system please contact me on 41974601.

Yours faithfully

sch4p4(6) Personal information

TERRY THOMPSON
SUPERINTENDENT'S REPRESENTATIVE
ROAD OPERATIONS

1) Past owners:

1) 1994

sch4p4(6) Personal information

sch4p4(6) Personal information

21 + 2 RP 151930

2) 2001

sch4p4(6) Personal information

sik

72 Torquay Rd

PALMA

Hervey Bay 4655

21 + 2

3) 2003

sch4p4(6) Personal information

sch4p4(6) Personal information

→ left message

1/2004 dms si

14/4/05

sch4p4(6) Personal information

spoke to [redacted] who
advised that she & her
husband had been told
to purchase their site
may in the past have
had a slat on it →
she & her husband "had
it all checked out and it
was cleared" and they
have done. to them this
→ asked to have
copies sent to CU

E. Black

Hervey Bay

Memorandum



Queensland Government

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

Enquiries
Telephone
Your reference
Our reference

Lindi Bowen
(07) 3227 7258

~~27 August 2004~~

12/4/05

To: Lis

From: Lindi Bowen, Registrar (EMR/CLR)

Subject: 1 RP 151930

	Parcel	Parent 1	Parent 2	Parent 3
On EMR/CLR/AMA?	No.	Autochecks	Autochecks	Autocheck
CISP check – lot/plan is current?	Yes			
CISP plan attached?				
On Shire Queries Database?				
On BCC Spreadsheet?				
Paper files? (Filed or pending filing)				
IPA?				
EPA application?				
Searched by street name/suburb for nearby lot/plans it might be in error?				
QVAS check for owner currency				

☒ Notification ☐ Submission on 'U' ☐ Formal Appeal on 'N' ☐ Request for deletion on 'N'

(^U^)

☐ Set to 'I'?

Lis, your advice on this one – CLR issue?

Does ROAD/PATH need listing? as well.
Council's

sch4p4(6) Pe



Note:
[Not related to ROADS]
(too far apart)

Lindi Bowen
Registrar (EMR/CLR)

Page 1 of 1

07/04/05

288 Edward St Brisbane
Queensland 4000 Australia

GPO Box 2771 BRISBANE
Queensland 4001 Australia

Telephone

Facsimile

Website www.epa.qld.gov.au

ABN 87 221 158 786

Contaminated Land

Notification of Land

This form should be used by people providing notification to the Environmental Protection Agency of contaminated land or land use for a notifiable activity in accordance with Schedule 2 of the *Environmental Protection Act 1994*. This form relates specifically to Sections 371 and 372 of the *Environmental Protection Act 1994*.

NOTE: You must complete all questions below and use a separate form for each lot.

1. Person making notification

NAME Terry Thompson	TELEPHONE 41974601	<p>CONTAMINATED LAND SECTION</p> <p>7 APR 2005</p>
COMPANY/ORGANISATION Hervey Bay City Council		
POSTAL ADDRESS PO Box 5045 Hervey Bay 4655		
EMAIL terryt@herveybay.qld.gov.au	FACSIMILE 41254766	

2. Site details

2.1. Name by which the property is known locally?

72 Torquay Road

2.2. Please provide details of the Lot on Plan to which the notification applies

Please note that a separate notification form must be used for each Lot on Plan.

FULL STREET ADDRESS OF THE SITE 72 Torquay Road Hervey Bay	
LOT(S) Lot 1	PLAN(S) RP 151930
LOCAL GOVERNMENT AUTHORITY Hervey Bay City Council	

2.3. Area of land parcel in square metres? 967 m²

Notification of Land

2.4. Describe the notifiable activity/ies for which the land is or has been used and the source/s of the suspected contamination. List all notifiable activities that the land has been used for and provide details.

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

Leachate apparently originating from the site is contaminated with hydrocarbons. Local knowledge indicates that the site was once used as a service station with kerb side petrol bowsers. (Refer attached for details of works undertaken in road reserve by Council)

2.5. Has a map or locality plan been attached to this notification?

The processing of this information is greatly assisted by the inclusion of a map or locality plan that shows the respective Lot.

☒ NO

☐ YES

3. Details of land owner

NAME sch4p4(6) Personal in	TELEPHONE
POSTAL ADDRESS sch4p4(6) Personal information	
EMAIL	FACSIMILE

4. Declaration

Please read the certification below before signing.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Freedom of Information Act 1992* and the *Evidence Act 1977*.

NOTIFYING PERSON'S SIGNATURE sch4p4(6) Personal information	DATE 5/4/05
---	----------------

You may apply for exemption from disclosing information contained in a document submitted, or proposed to be submitted with this notification (see Section 564 of the *Environment Protection Act 1994*)

5. Applicant checklist

- ☐ Notifying person's details correct.
- ☐ Notification form completed and signed.
- ☐ Supporting information attached.

Please return the completed notification to:

**Contaminated Land Unit
Environmental Protection Agency**

GPO Box 2771
Brisbane
Queensland 4001

Enquiries: **(07) 3227 7370**
Facsimile: (07) 3247 3278

Additional Information Associated with Contaminated Land Notification Lot 1 RP 151930

As part of works associated with reconstruction of Torquay Road, Wide Bay Water Corporation on the 16 March 2005 undertook excavations in the footpath fronting 72 Torquay Road and identified soil and leachate heavily contaminated with hydrocarbons. The excavation was closed and Council advised.

Council has subsequently undertaken exploratory excavations in the footpath fronting the property. The excavations to 1.5 metres deep failed to identify any infrastructure associated with the contamination within the road reserve. A 300mm thick concrete curtain wall to 1.5 metres deep was constructed along the frontage of the property to prevent contaminated leachate entering water main trenches or subsoil drainage systems that could convey the leachate into stormwater drains. Contaminated soil from the excavation (less than 5m³) was disposed of at Council's Beck Road land fill site. Disposal of the material was undertaken in accordance with the requirements of the EPA permit issued for disposal of contaminated soil from the Council Hunter Street Depot site.

Further excavations will be undertaken within the road reserve to facilitate laying of the water main and construction of road pavement. At this time it is expected that these excavations will only result in small quantities of contaminated soil that will be disposed of in a similar manner to the spoil resulting from the exploratory excavations.

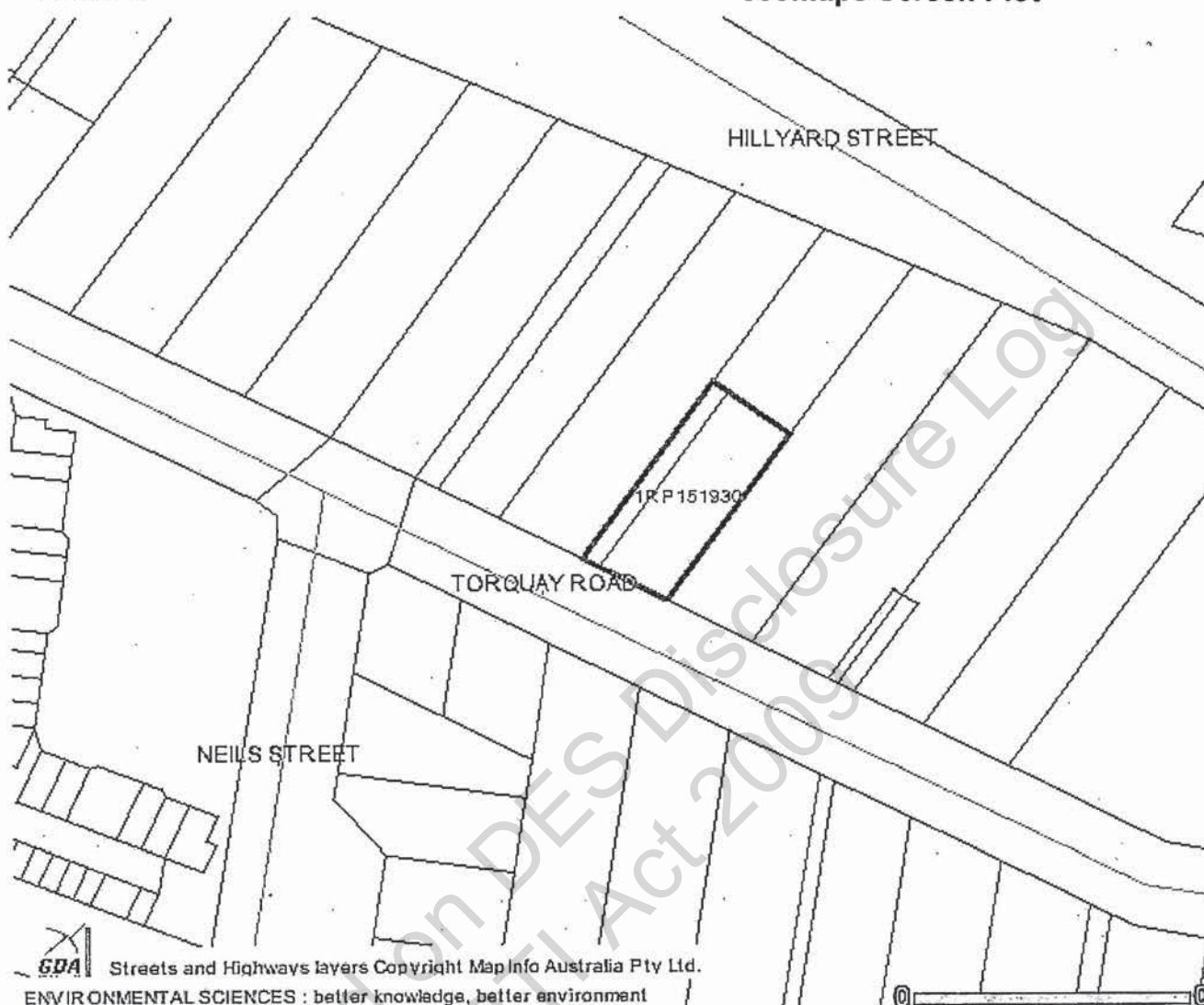
Council will be issuing a notice on the Property Owners, sch4p4(6) Person to correct roof water drainage on the site to prevent stormwater from flowing across the site and contributing to the build up of contaminated leachate.

ecomaps

12/04/2005

Queens

ecomaps Screen Plot



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ecomaps

12/04/2005

Queens

ecomaps Screen Plot

ecomaps Layers

- | | | |
|------------------------------|------------------------------------|-------------------------------|
| Cadastral Selection | Highways | 4wd and tracks |
| Cadastral Selection | Secondary roads | Skewways or walkways or malls |
| Grouped Cadastral Streets | Local connector roads | Unconstructed or dedicated |
| Freeways or motorways (cont) | Streets | Queensland |
| | Private or restricted roads (cont) | |

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**HISTORICAL SITE REPORT - CONTAMINATED
SITES REGISTER**

EMM7110

V1.0

Page 1 of 1

Date Printed: 12/04/2005

Lot No	1	Plan No	ROAD5	Category	PRO	CSR Cont	24-6675
LGA	HERVEY BAY CITY	Entry Date	14-NOV-96	Site ID		Mr Alter Date	19/06/1997
Site Name	BOAT HARBOUR DRIVE (ROAD RESERVE)			Prescribed purpose	FUEL STORAGE		
Street	CNR BOAT HARBOUR DRIVE & MAIN STREET			Contsite File	0	Officer	ROAD
Suburb	PIALBA	Post code	4655	Current Use	3517	Past Use	3517
Owner	DEPARTMENT OF TRANSPORT			Pcl Status	E	Contaminant	UNK
Address	C/O HERVEY BAY CITY COUNCIL			Prev Lot	1	Prev Plan	ROAD5
	PO BOX 45			Zoning		Area	0
	TORQUAY						
	QLD	Post code	4655	UXO Region		Cont Grd Water	U
Comments	<p>INFORMATION PROVIDED BY s.78B(2) OF HERVEY BAY C.C.: BOAT HARBOUR DRIVE RECENTLY BEEN THE SUBJECT OF ROAD IMPROVEMENTS. DURING THIS PROCESS AN UNDERGROUND PETROL TANK WAS PARTIALLY EXCAVATED AND THEN FILLED WITH CONCRETE AND RECOVERED. THIS TANK WOULD HAVE BEEN ASSOCIATED WITH A SERVICE STATION PREVIOUSLY SITUATED ON THE SITE. THE ABOVE GROUND AREA IS NOW USED AS A FOOTPATH. ROAD RESERVE IN FRONT OF AND PARALLEL TO LOT 8 ON RP835652. (NO RPD SO ENTERED AS DUMMY PLAN "ROAD").-14/11/96.RT.// ACTION OFFICER AMENDED TO ROAD 19/6/97 ADC.//</p>						
Rec Status	☐	Deleted Reason					
Deleted Date	<input type="text"/>						

Auditor notification form

This form must be used by auditors approved under Chapter 12 Part 3A of the Environmental Protection Act 1994 to notify the administering authority of a matter, as required by the Queensland Auditor Handbook for Contaminated Land- Module 4: Code of professional conduct.

1. Type of notification

- ☐ My contact details have changed (complete sections 2 & 7)
- ☒ I have accepted a request to undertake work with a view to carrying out an auditor's function (complete sections 2, 3, 4, 5 & 7)
- ☐ I have stopped undertaking work prior to completing an auditor's function (complete sections 2, 3, 4, 5 & 7)
- ☐ I have been convicted of an offence under the EP Act in Queensland or another Act involving misleading or fraudulent conduct (complete sections 2, 6 & 7) in Queensland or another state or territory
- ☐ I have resigned or been terminated from my employment due to allegations of misconduct (complete sections 2, 6 & 7)
- ☐ My interstate auditor approval has been suspended or cancelled (complete sections 2, 6 & 7)

2. Auditor details

FULL NAME sch4p4(6) Personal i	
COMPANY Lloyd Consulting Environmental Services	
REGISTERED ADDRESS sch4p4(6) Personal information	POSTCODE 4051
TELEPHONE (07) 3352 7300	FAX
EMAIL sch4p4@lloydconsulting.com.au	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF THE SAME AS REGISTERED ADDRESS) As above.	POSTCODE
AUDITOR APPROVAL NUMBER CLAD05908516	

3. Details of the person who commissioned the auditor

FULL NAME sch4p4(6) Personal	
COMPANY Zaretta Property Trust ABN 34 410 712 594	
REGISTERED ADDRESS sch4p4(6) Personal information	POSTCODE 4655
TELEPHONE sch4p4(6) Persor	FAX
EMAIL sch4p4(6) Personal informat	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF THE SAME AS REGISTERED ADDRESS) AS above.	POSTCODE

4. Details of the auditor's engagement

DATE THE REQUEST WAS ACCEPTED 11 July 2019
OBJECT OF THE CONTAMINATED LAND INVESTIGATION DOCUMENT ☐ to meet the requirements of a notice issued by the administering authority under the <i>Environmental Protection Act 1994</i> ☐ to meet the requirements under the <i>Planning Act 2016</i> ☒ being prepared voluntarily to remove land or change land on the land registers ☐ other (if other provide details below)
DATE THE WORK CEASED (IF APPLICABLE)
REASONS WHY THE AUDITOR FUNCTION IS NOT BEING COMPLETED (IF APPLICABLE)

5. Site details

STREET ADDRESS 72 Torquay Road Pialba Qld	
LOT(S) Lot 1 on RP151930	PLAN(S) RP151930

EMR/CLR ID (IFAPPLICABLE) 56949
CERTIFICATE OF TITLE DETAILS
LOCAL GOVERNMENT AREA Fraser Coast Regional Council
AREA OF SITE (E.G.HECTARES) 967 m2
CURRENT ZONING Pinalba Principal Activity Centre Local Plan

6. Further details to support the notification

PROVIDE FURTHER DETAILS TO SUPPORT YOUR NOTIFICATION

I.e. Reasons why your interstate approval has been suspended or cancelled, details of your conviction, details of the allegations of misconduct made against you.

--

7. Declaration

I declare that:

- The information I have provided within this form is true and correct to the best of my knowledge.
- I understand that it is an offence under section 480 of the *Environmental Protection Act 1994* to give the administering authority a document containing information that I know is false, misleading or incomplete in a material particular.

Auditor's name sch4p4(6) Persor
Auditor's signature sch4p4(6) Pe
Date 15 July 2019

Please lodge your notification form using one of the following methods:

Email:

palm@des.qld.gov.au

The email subject line should be 'Auditor notification'.

The file size limit for submission via email is 14MB.

Any submission via email which exceeds 14MB will need to be broken down into Parts, with each part clearly labelled Part X of X (e.g. Part 1 of 2) included in the subject line of the email.

Mail:

Customer Service Team

Department of Environment and Science

GPO Box 2454, BRISBANE QLD 4001

Courier or hand delivery:

Customer Service Team

Department of Environment and Science

Level 3, 400 George Street,

BRISBANE QLD 4001

Hours: 8.30 am—5.00 pm business days

Privacy statement

The Department of Environment and Science (the department) is collecting your information to update records containing your contact details, the auditor's functions being carried out by you, or to ensure you remain a suitable auditor under Chapter 12 Part 3A of the *Environmental Protection Act 1994* (EP Act). The information will only be accessed by authorised employees within the department. Any changes to your name, organisation, business address, telephone number and email address will be disclosed on the Register of approved auditors which will be publicly available on the relevant Queensland Government website. This disclosure is authorised by section 540A(1)(f) of the EP Act. This information provided on this form will not otherwise be used or disclosed unless required or authorised by law. For further information about privacy matters email: privacy@des.qld.gov.au or telephone: (07) 3330 5436.