

Davis Megan

From: GATES Donna <DGATES@goldcoast.qld.gov.au>
Sent: Wednesday, 16 October 2013 4:39 PM
To: Davis Megan
Cc: Division1
Subject: RE: LIQUID WASTE JACOBS WELL - 953, 961 and 995 Pimpama Jacobs Well Road Jacobs Well

Many thanks for your advice Megan. Further advice from the community claims that deliveries continue outside official hours as the gates are never closed and that access is available 24/7. It has been queried how testing can be conducted when noone is there to check what is being deposited.

As an aside, the operator has recently offered to contribute to a community project in constructing a pathway on public land - so he is trying to work with the surrounding residents.

Regards
Donna

Donna Gates
Councillor Division 1 & Deputy Mayor

Tel: (07) 5581 6301 **Fax:** (07) 5582 8355 **Mob:** s78B(2) - Personal i

Gold Coast City Council
PO Box 5042 Gold Coast Mail Centre QLD 9729
dgates@goldcoast.qld.gov.au



From: Davis Megan [mailto:Megan.Davis@ehp.qld.gov.au]
Sent: Thursday, 10 October 2013 15:04
To: GATES Donna
Cc: Quintal Claire
Subject: FW: LIQUID WASTE JACOBS WELL - 953, 961 and 995 Pimpama Jacobs Well Road Jacobs Well

Good Afternoon Donna,

I am the project manager of this site. Thanks for providing that information through. Please contact the Minister for Environment and Heritage Protection, on the contact details below requesting an update and we will provide you with a response.

Hon Andrew Powell MP
Member for Glass House

CTS No. 24715/13

Frangi Spillsbury

From: Coomera Electorate Office <coomera@parliament.qld.gov.au>
Sent: Friday, 11 October 2013 3:33 PM
To: Environment
Cc: Frangi Spillsbury
Subject: Electorate Issue



Michael Crandon MP
State Member for Coomera

Dear Minister

I refer to the completion of a recent audit of sand extraction sites in the Coomera electorate.

I would appreciate a copy of the report.

Regards

Michael Crandon MP
Member for Coomera
Chair, Parliamentary Ethics Committee

Phone: (07) 5514 0483

Fax : (07) 5514 0634

Toll Free: 1800 224 650

www.crandon4coomera.com.au

Email: coomera@parliament.qld.gov.au

PO Box 80 OXENFORD QLD 4210

Unit 20 Hope Island Central

340 Hope Island Road

HOPE ISLAND QLD 4212



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ACTION SHEET

MINISTER'S OFFICE USE

- ☒ Minister Reply
- ☐ Chief of Staff Reply
- ☐ Briefing Note
- ☐ Departmental Response
- ☐ Department Action
- ☐ Department Information

☐ Refer to: _____

☐ No Further Action Required

☐ Copy to

☐ Director-General

Comments:

Signature: GS

Date: 11/10/13

MECU USE

TO: _____

Dept Ref: CTS _____/_____/_____

Due Date to MECU _____/_____/_____

RELATED CORRESPONDENCE: _____

DEPARTMENTAL OFFICER COMMENTS:

ASIC & Business Names

ORGANISATIONAL SEARCH ON WARAGAP HOLDINGS PTY. LTD.

Current Extract

This information was extracted from ASIC database on 16 October 2013 at 05:05PM

This extract contains information derived from the Australian Securities and Investment Commission's (ASIC) database under section 1274A of the Corporations Act 2001. Please advise ASIC of any error or omission which you may identify.

010 893 651	WARAGAP HOLDINGS PTY. LTD.	DOCUMENT NO.
ABN	010 893 651 46 010 893 651	
Registered in	QLD	
Date Registered	18-Jan-1989	
Review Date	18-Jan-2014	
Previous State Number	89B00488W	

Current Organisation Details

Name	WARAGAP HOLDINGS PTY. LTD.	002235540
Name Start	18-Jan-1989	
Status	REGISTERED	
Type	AUSTRALIAN PROPRIETARY COMPANY	
Class	LIMITED BY SHARES	
Subclass	PROPRIETARY COMPANY	
Disclosing Entity	NO	

Current Registered Office

Address	SUITE 1, 86 MOUNT ELIZA WAY, MOUNT ELIZA, VIC, 3930	1E2074083
Start Date	17-May-2006	

Current Principal Place of Business

Address	1754 JACOBS WELL ROAD, JACOBS WELL, QLD, 4208	022678735
Start Date	23-Feb-2006	

Current Director

Officer Name	JENNIFER LAMING	022678735
ABN	Not available	
Birth Details	26-Mar-1946 CHRISTCHURCH NEW ZEALAND	
Address	1754 JACOBS WELL ROAD, JACOBS WELL, QLD, 4208	
Appointment Date	11-Feb-1989	
Officer Name	STANLEY BEVAN LAMING	022678735

ABN	Not available
Birth Details	18-Nov-1941 TIMARU NEW ZEALAND
Address	1754 JACOBS WELL ROAD, JACOBS WELL, QLD, 4208
Appointment Date	11-Feb-1989

Current Secretary

Officer Name	JENNIFER LAMING	022678735
ABN	Not available	
Birth Details	26-Mar-1946 CHRISTCHURCH NEW ZEALAND	
Address	1754 JACOBS WELL ROAD, JACOBS WELL, QLD, 4208	
Appointment Date	11-Feb-1989	

Current Issued Capital

Type	Current	0E2778927
Class	ORD	(AR 1998)
	ORDINARY	
Number of Shares/Interests issued	46	
Total amount paid/taken to be paid	\$46.00	
Total amount due and payable	\$0.00	

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

Current Members

Class	ORD	022678735
No. Held	1	
Beneficially Owned	YES	Fully paid YES

Name	LAMING, JENNIFER
ABN	Not available
Address	1754 JACOBS WELL ROAD, JACOBS WELL, QLD, 4208
Joint Holding	NO

Class	ORD	022678735
No. Held	1	
Beneficially Owned	YES	Fully paid YES

Name	LAMING, STANLEY BEVAN
ABN	Not available
Address	1754 JACOBS WELL ROAD, JACOBS WELL, QLD, 4208
Joint Holding	NO

Class	ORD	022678735
No. Held	44	

Beneficially Owned YES Fully paid YES

Name LAMING, BEVAN
ABN Not available
Address 1754 JACOBS WELL ROAD, JACOBS WELL, QLD, 4208
Joint Holding YES

Name LAMING, JENNIFER
ABN Not available
Address 1754 JACOBS WELL ROAD, JACOBS WELL, QLD, 4208
Joint Holding YES

Document Details

Received	Form Type	Processed	No. Pages	Effective	
20-Apr-2011 309A	309 Notification of Details of a Charge	21-Apr-2011	18	18-Mar-2011	027409940
01-Mar-2011 312A	312 Notification of Discharge	04-Mar-2011	1	01-Mar-2011	027500497
19-Mar-2008 309A	309 Notification of Details of a Charge	20-Mar-2008	9	15-Feb-2008	024224920
19-Mar-2008 312C	312 Notification of Release of Property	20-Mar-2008	1	19-Mar-2008	024224919
30-Oct-2007 350	350 Certification of Compliance With Stamp Duties Law By Provisional Charge Alters 024 123 894	31-Oct-2007	1	30-Oct-2007	023471442
20-Sep-2007 309A	309 Notification of Details of a Charge Altered by 023 471 442	21-Sep-2007	23	05-Sep-2007	024123894
17-Sep-2007 309A	309 Notification of Details of a Charge	19-Sep-2007	10	27-Apr-2007	023825116
06-Sep-2007 312C	312 Notification of Release of Property	07-Sep-2007	2	06-Sep-2007	023470673
27-Jun-2007 350	350 Certification of Compliance With Stamp Duties Law By Provisional Charge Alters 023 906 183	28-Jun-2007	1	27-Jun-2007	023469484
28-May-2007 309A	309 Notification of Details of a Charge Altered by 023 469 484	31-May-2007	22	14-May-2007	023906183
17-Jan-2007 312A	312 Notification of Discharge	23-Jan-2007	1	17-Jan-2007	023589149
10-May-2006	484	10-May-2006	2	10-May-2006	1E2074083

484B Change to Company Details Change of Registered Address

09-May-2006 309A	309 Notification of Details of a Charge	09-May-2006 24	05-Apr-2006	022811234
02-May-2006 309A	309 Notification of Details of a Charge	23-May-2006 23	11-Apr-2006	022502201
09-Mar-2006 484 484C 484A1 484A2	484 Change to Company Details Change of Principal Place of Business (Address) Change Officeholder Name or Address Change Member Name or Address	09-Mar-2006 2	09-Mar-2006	022678735
22-Feb-2006 312A	312 Notification of Discharge	27-Mar-2006 1	22-Feb-2006	022770816
11-Nov-2003 312A	312 Notification of Discharge	18-Dec-2003 2	11-Nov-2003	019734374
11-Nov-2003 312A	312 Notification of Discharge	18-Dec-2003 1	11-Nov-2003	019734373
11-Nov-2003 312A	312 Notification of Discharge	18-Dec-2003 1	11-Nov-2003	019734372
26-Feb-2003 312C	312 Notification of Release of Property	26-Feb-2003 1	26-Feb-2003	019154214
06-Feb-2003 309A	309 Notification of Details of a Charge	06-Feb-2003 12	17-Jan-2003	018819848
10-Jan-2003 316L	316 Annual Return Annual Return - Proprietary Company	20-Jan-2003 3	20-Dec-2002	5E0973516 (AR 2002)
07-Oct-2002 309A	309 Notification of Details of a Charge	08-Oct-2002 10	13-Jun-2002	017897791
07-Oct-2002 312C	312 Notification of Release of Property	31-Oct-2002 2	07-Oct-2002	017897790
03-Jul-2002 902	902 Supplementary Document Alters 0E6 799 798	04-Jul-2002 1	31-Dec-2001	0E7376183
08-Apr-2002 312C	312 Notification of Release of Property	09-Apr-2002 1	08-Apr-2002	017543130
18-Feb-2002 309A	309 Notification of Details of a Charge	18-Feb-2002 12	05-Feb-2002	017588809
16-Jan-2002 316L	316 Annual Return Annual Return - Proprietary Company Altered by 0E7 376 183	16-Jan-2002 3	31-Dec-2001	0E6799798 (AR 2001)
23-Jan-2001 316	316 Annual Return	23-Jan-2001 3	18-Jan-2001	0E5490804 (AR 2000)

316A	Change of Registered Office Address				
316L	Annual Return - Proprietary Company				
21-Jan-2000	316	21-Jan-2000	3	14-Jan-2000	0E4078564
316L	Annual Return Annual Return - Proprietary Company				(AR 1999)
20-Jan-1999	316	20-Jan-1999	4	15-Jan-1999	0E2778927
316L	Annual Return Annual Return - Proprietary Company				(AR 1998)
30-Jan-1998	316	11-Feb-1998	4	14-Jan-1998	0E1842600
316L	Annual Return Annual Return - Proprietary Company				(AR 1997)
05-Jun-1997	312	11-Jun-1997	1	05-Jun-1997	012616885
312A	Notification of Discharge				
02-Jun-1997	309	03-Jun-1997	41	30-Apr-1997	012621419
309A	Notification of Details of a Charge				
07-Mar-1997	312	01-Apr-1997	1	07-Mar-1997	011951613
312C	Notification of Release of Property				
07-Mar-1997	309	07-Mar-1997	17	21-Feb-1997	011951614
309A	Notification of Details of a Charge				
28-Nov-1996	316	11-Dec-1996	4	19-Nov-1996	01089365G
316L	Annual Return Annual Return - Proprietary Company				(AR 1996)
12-Aug-1996	312	12-Aug-1996	3	12-Aug-1996	012011693
312C	Notification of Release of Property				
12-Aug-1996	309	12-Aug-1996	23	31-Jul-1996	012011684
309A	Notification of Details of a Charge				
14-Mar-1996	312	19-Mar-1996	1	14-Mar-1996	010762360
312C	Notification of Release of Property				
06-Mar-1996	309	06-Mar-1996	19	29-Feb-1996	010750882
309A	Notification of Details of a Charge				
25-Jan-1996	316	05-Feb-1996	4	29-Dec-1995	01089365F
316L	Annual Return Annual Return - Proprietary Company				(AR 1995)
30-Oct-1995	203	08-Nov-1995	1	26-Oct-1995	010489739
203A	Notification of Change of Address				
30-Jan-1995	316	31-Jan-1995	4	31-Dec-1994	01089365E
316L	Annual Return Annual Return				(AR 1994)
29-Jun-1994	316	29-Jun-1994	4	31-Dec-1993	01089365D
316L	Annual Return Annual Return				(AR 1993)
16-Nov-1992	316	15-Dec-1992	4	16-Nov-1992	01089365C
316	Annual Return				(AR 1992)
316E	Corrections				
316L	Annual Return				
16-Nov-1992	316	19-Nov-1992	4	16-Nov-1992	01089365B
316	Annual Return				(AR 1991)

316E	Corrections				
316L	Annual Return				
16-Nov-1992	316	15-Dec-1992	4	16-Nov-1992	1089365A
316	Annual Return				(AR 1990)
316E	Corrections				
316L	Annual Return				
16-Nov-1992	316		0	16-Nov-1992	003689401
316	Annual Return				(AR 1989)
316E	Corrections				
316L	Annual Return				
	Document under requisition				
10-Oct-1991	309	11-Oct-1991	18	20-Sep-1991	002005124
309A	Notification of Details of a Charge				
10-May-1991	203	29-Aug-1991	1	08-May-1991	001083242
203A	Notification of Change of Address				
Unknown	C1		3		000972365
C1	NOTICE OF CHARGE				

Pre-ASIC Documents

State/Territory	Form Type	Received	Status
QLD	CCF018	04-Jan-1989	FP
QLD	CCMEMAR	12-Jan-1989	FP
QLD	CCF055I	12-Jan-1989	NOFE
QLD	CCF060	12-Jan-1989	NOFE
QLD	CCF017	18-Jan-1989	NOFE
QLD	CCF061I	24-Jan-1989	NOFE
QLD	CCF035I	24-Jan-1989	NOFE
QLD	CCF055	20-Feb-1989	NOFE
QLD	CCF150	21-Feb-1989	NOFE
QLD	CCF061	02-Mar-1989	NOFE
QLD	CCF035	09-Mar-1989	NOFE
QLD	CCF047B	11-Dec-1989	FP
QLD	CCF052A	05-Apr-1990	FP

Section 146A of the *Corporations Act 2001* states 'A contact address is the address to which communications and notices are sent from ASIC to the company.'

Address	PO BOX 558, MOUNT ELIZA, VIC, 3930
Start Date	22-Feb-2008

*** End of Extract ***

Davis Megan

From: WATSON Lisa <LWATSON@goldcoast.qld.gov.au>
Sent: Tuesday, 8 October 2013 9:26 AM
To: WILMOT Paul
Cc: Davis Megan
Subject: OPW201301258 - 119 Behms Road Norwell
Attachments: TRACKS-#41693844-v1-
ADVISE_OF_CONCERNS_WITH_TRUCKS_DUMPING_FILL_ACID_SULPHATE_AND_CLAY_MATERIAL_ON_PROPERTY.PPD

Hi Paul,

Please find attached complaint received through the Department of Environment & Heritage Protection regarding the dumping of fill, consisting of acid sulphate soil and clay material.

I note Council approved Operational Works - Change to Ground Level (temporary stockpiling of soils) on 26 August 2013 and you completed a pre-start inspection on 5 September 2013. A Negotiated Decision Notice was issued on the 9 September 2013 changing the performance bond required.

Conditions 15-19 relate to acid sulphate soils.

The complainant is alleging the fill is being used to change ground levels to build a house pad. Council has no record of a building application.

Can you please confirm the works are continuing in accordance with the operational works approval. Further, can you confirm conditions 15-19 have been complied with?

If you require any assistance from Development Compliance Section, please let me know.

Thankyou & regards, Lisa

Lisa Watson
Supervisor Development Compliance (Planning)

City Development
City of Gold Coast

T: 5582 8184 F: 5582 8080
PO Box 5042 Gold Coast Mail Centre Qld 9729
cityofgoldcoast.com.au

CITY OF
GOLD COAST.

Tell us about an unsung hero... Nominations are open for City of Gold Coast's 2014 Australia Day Awards. The awards recognise individuals and groups who have made an outstanding contribution to our community.

Visit cityofgoldcoast.com.au/australiadayawards for information. Nominations close 15 November 2013.

Davis Megan

From: WILMOT Paul <PWILMOT@goldcoast.qld.gov.au>
Sent: Monday, 30 September 2013 4:23 PM
To: 'Dale Baudach'
Cc: Davis Megan
Subject: Dust and sed erosion complaints at Behms Rd

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Dale,
I have had several complaints about the dust and lack of controls at the Behm's Rd site.
Can you please arrange for the sed fencing to be put in urgently as discussed at the pre start.
Also, they will need to get a water truck in and/or gravel over the dusty portions in the driveway. The dust being created is unacceptable.

Please note, this is urgent and needs to be addressed before any more fill is imported.
Please advise when this has been done.

Megan,
I have received your email and will advise the complainant.

Regards,

Paul Wilmot
Engineering & Environmental Compliance Officer
City Development
City of Gold Coast

T: 5582 8420 M: s78B(2) - Personal infor
PO Box 5042 Gold Coast Mail Centre Qld 9729
cityofgoldcoast.com.au

**CITY OF
GOLD COAST.**

Tell us about an unsung hero... Nominations are open for City of Gold Coast's 2014 Australia Day Awards. The awards recognise individuals and groups who have made an outstanding contribution to our community. Visit cityofgoldcoast.com.au/australiadayawards for information. Nominations close 15 November 2013.

Council of the City of Gold Coast / Gold Coast City Council - confidential communication

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Enquiries: Megan Davis
Telephone: (07) 5583 2146
Our reference: 241591 / SOR113337v7



Department of
**Environment and
Heritage Protection**

23 September 2013

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well QLD 4208

RECEIVED / REGISTERED Dept of Environment and Heritage Protection Gold Coast	
24 SEP 2013	
File #:	SOR113337
Item #:	2275693

Dear Mr Laming

I refer to the site inspection of Waragap Holdings Pty Ltd on 3 September 2013 at Behms Road, Jacobs Well described as Lot 1 Plan RP186126, Lot 1 Plan SP102616 and Lot 6 Plan RP6848 (the site).

Thank you to you and your staff for providing your time and assistance during the site inspection.

Wheel Wash

During the inspection departmental officers observed the wheel wash you have installed at the exit point on Pimpama-Jacobs Well Road to prevent sediment from being deposited on public roads and roadside gutters from the site. The wheel wash, and additional measures that were previously installed, appeared to be working at the time as no sediment was observed leaving the site. Officers will continue to inspect the entrance and exit points from your site onto Pimpama-Jacobs Well Road periodically.

Acceptance of Waste

During the inspection officers observed a waste receipt which stated that 'soapy waters' was accepted on 28 August 2013 from Anika Natural Products at Stapylton, transported by Global Equipment. Soapy waters constitute a basic (alkaline) solution and are therefore a regulated waste as per Schedule 7 of the *Environmental Protection Regulation 2008* (EP Reg). The full list of regulated wastes as per Schedule 7 of the EP Reg is attached in Attachment 1 for your reference.

Accepting regulated waste for disposal or treatment constitutes an Environmentally Relevant Activity (ERA) under the *Environmental Protection Regulation 2008* as per the definitions below:

ERA 58 – Regulated Waste Treatment

(1) *Regulated waste treatment (the relevant activity) consists of operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.*

ERA 60 – Waste Disposal

Waste disposal (the relevant activity) consists of only 1 of the following—

- (a) *operating a facility for disposing of*
 - (i) *only regulated waste; or*
 - (ii) *regulated waste and any, or any combination, of the following —*
 - (A) *general waste;*

- (B) limited regulated waste;
- (C) if the facility is in a scheduled area—no more than 5t of untreated clinical waste in a year;
- (b) operating a facility for disposing of, in a year, 50t or more of waste consisting of—
 - (i) only general waste; or
 - (ii) general waste and either, or a combination, of the following—
 - (A) a quantity of limited regulated waste that is no more than 10% of the total amount of waste received at the facility in a year;
 - (B) if the facility is in a scheduled area—no more than 5t of untreated clinical waste.

Please note ERA 60 does not include using 'clean earthen materials' as fill. The definitions of 'clean earthen materials', 'clean earth', 'general waste' and 'limited regulated waste' are provided in Attachment 2 for your reference.

It is an offence to carry out an ERA without an Environmental Authority for the activity as per section 426(1) of the *Environmental Protection Act 1994* (EP Act). The maximum penalty for breach of this section of the EP Act is \$183 150.

The list of regulated wastes was provided to you in a formal warning letter on 10 August 2012 in relation to a number of other wastes that you had accepted without approval. The department has reviewed the facts and circumstances of the offence and the ongoing nature of the offence and has determined that it warrants the issuing of a Penalty Infringement Notice (PIN) as an alternative to proceeding by way of prosecution in court. The PIN will constitute a fine of \$2200.

As the department intends to issue you with a PIN you are invited to make a written submission outlining why the PIN should not be issued. Please provide this written submission to the department by **8 October 2013**.

As previously advised, if you wish to continue to accept regulated wastes at your site you are required to apply for an Environmental Authority. Please contact the department's Permit and Licensing Management unit on 1300 130 372 or email palm@ehp.qld.gov.au for further information on applying for an Environmental Authority for an ERA.

If you wish to discuss this matter further please contact Megan Davis, Senior Environmental Officer, on telephone 5583 2146.

Yours sincerely

sch4 - Personal Information

23.9.13

William Inonda A/Manager (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection

Attachment 1 - Schedule 7 of the Environmental Protection Regulation 2008

Schedule 7 Regulated waste

- 1 acidic solutions and acids in solid form
- 2 animal effluent and residues, including abattoir effluent and poultry and fish processing wastes
- 3 antimony and antimony compounds
- 4 arsenic and arsenic compounds
- 5 asbestos
- 6 barium compounds, other than barium sulfate
- 7 basic (alkaline) solutions and bases (alkalis) in solid form
- 8 beryllium and beryllium compounds
- 9 boron compounds
- 10 cadmium and cadmium compounds
- 11 chemical waste arising from a research and development or teaching activity, including new or unidentified material and material whose effects on human health or the environment are not known
- 12 chlorates
- 13 chromium compounds (hexavalent and trivalent)
- 14 clinical and related waste
- 15 containers contaminated with a regulated waste
- 16 copper compounds
- 17 cyanides (inorganic)
- 18 cyanides (organic)
- 19 encapsulated, chemically-fixed, solidified or polymerised wastes
- 20 ethers
- 21 filter cake, other than filter cake waste generated from the treatment of raw water for the supply of drinking water
- 22 fly ash
- 23 food processing waste
- 24 grease trap waste
- 25 halogenated organic solvents
- 26 highly odorous organic chemicals, including mercaptans and acrylates
- 27 inorganic fluorine compounds, other than calcium fluoride
- 28 inorganic sulfides
- 29 isocyanate compounds
- 30 lead and lead compounds including lead-acid batteries
- 31 material containing polychlorinated biphenyls (PCBs), polychlorinated naphthalenes (PCNs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs)
- 32 mercury and mercury compounds
- 33 metal carbonyls
- 34 mineral oils
- 35 nickel compounds
- 36 non-toxic salts including, for example, saline effluent
- 37 hydrocarbons and water mixtures or emulsions, including oil and water mixtures or emulsions
- 38 organic phosphorous compounds
- 39 organic solvents, other than halogenated solvents, including, for example, ethanol
- 40 organohalogen compounds, other than another substance stated in this schedule
- 41 oxidising agents
- 42 perchlorates
- 43 pesticides, including organochlorine
- 44 pharmaceuticals, drugs and medicines
- 45 phenols and phenol compounds, including chlorophenols
- 46 phosphorus compounds, other than mineral phosphates
- 47 polychlorinated dibenzo-furan (any congener)
- 48 polychlorinated dibenzo-p-dioxin (any congener)
- 49 reactive chemicals

- 50 reducing agents
51 residues from industrial waste treatment or disposal operations
52 selenium and selenium compounds
53 sewage sludge and residues, including nightsoil and septic tank sludge
54 surface active agents (surfactants) containing principally organic constituents, whether or not also containing metals and other inorganic materials
55 tallow
56 tannery wastes, including leather dust, ash, sludges and flours
57 tarry residues arising from refining, distillation or any pyrolytic treatment
58 tellurium and tellurium compounds
59 thallium and thallium compounds
60 triethylamine catalysts for setting foundry sands
61 tyres
62 vanadium compounds
63 vegetable oils
64 waste containing peroxides other than hydrogen peroxide
65 waste from a heat treatment or tempering operation that uses cyanides
66 waste from surface treatment of metals or plastics
67 waste from the manufacture, formulation or use of the following—
• biocides or phytopharmaceuticals
• inks, dyes, pigments, paints, lacquers or varnish
• organic solvents
• photographic chemicals or processing materials
• resins, latex, plasticisers, glues or other adhesives
• wood-preserving chemicals
68 waste from the manufacture or preparation of pharmaceutical products
69 waste of an explosive nature, other than an explosive within the meaning of the *Explosives Act* 1999
70 wool scouring wastes
71 zinc compounds

Attachment 2 – Definitions

clean earthen materials means—

- (a) bricks, pavers, ceramics or concrete that does not contain embedded steel reinforcing rods, pulverised to a size of no more than 100mm; or
- (b) clean earth.

clean earth means earth that has trace elements and contaminant levels within the interim ecologically-based investigation levels for urban land use under the document 'Schedule B(1)—Guidelines on the Investigation of Soil and Groundwater', forming part of the National Environment Protection (Assessment of Site Contamination) Measure 1999.

general waste means waste other than regulated waste.

limited regulated waste means any of the following types of regulated waste—

- (a) animal effluent and residues, including abattoir effluent and poultry and fish processing waste;
- (b) asbestos;
- (c) food processing waste;
- (d) quarantine waste that has been rendered non-infectious;
- (e) sewage sludge or residue produced in carrying out an activity to which schedule 2, section 63 applies; Editor's note— schedule 2, section 63 (Sewage treatment)
- (f) treated clinical waste;
- (g) tyres.

Schedule 7 Regulated waste

section 65

- 1 acidic solutions and acids in solid form
- 2 animal effluent and residues, including abattoir effluent and poultry and fish processing wastes
- 3 antimony and antimony compounds
- 4 arsenic and arsenic compounds
- 5 asbestos
- 6 barium compounds, other than barium sulfate
- 7 basic (alkaline) solutions and bases (alkalis) in solid form
- 8 beryllium and beryllium compounds
- 9 boron compounds
- 10 cadmium and cadmium compounds
- 11 chemical waste arising from a research and development or teaching activity, including new or unidentified material and material whose effects on human health or the environment are not known
- 12 chlorates
- 13 chromium compounds (hexavalent and trivalent)
- 14 clinical and related waste
- 15 containers contaminated with a regulated waste
- 16 copper compounds
- 17 cyanides (inorganic)
- 18 cyanides (organic)
- 19 encapsulated, chemically-fixed, solidified or polymerised wastes
- 20 ethers

Schedule 7

- 21 filter cake, other than filter cake waste generated from the treatment of raw water for the supply of drinking water
- 22 fly ash
- 23 food processing waste
- 24 grease trap waste
- 25 halogenated organic solvents
- 26 highly odorous organic chemicals, including mercaptans and acrylates
- 27 inorganic fluorine compounds, other than calcium fluoride
- 28 inorganic sulfides
- 29 isocyanate compounds
- 30 lead and lead compounds including lead-acid batteries
- 31 material containing polychlorinated biphenyls (PCBs), polychlorinated naphthalenes (PCNs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs)
- 32 mercury and mercury compounds
- 33 metal carbonyls
- 34 mineral oils
- 35 nickel compounds
- 36 non-toxic salts including, for example, saline effluent
- 37 hydrocarbons and water mixtures or emulsions, including oil and water mixtures or emulsions
- 38 organic phosphorous compounds
- 39 organic solvents, other than halogenated solvents, including, for example, ethanol
- 40 organohalogen compounds, other than another substance stated in this schedule
- 41 oxidising agents
- 42 perchlorates
- 43 pesticides, including organochlorine

- 44 pharmaceuticals, drugs and medicines
- 45 phenols and phenol compounds, including chlorophenols
- 46 phosphorus compounds, other than mineral phosphates
- 47 polychlorinated dibenzo-furan (any congener)
- 48 polychlorinated dibenzo-p-dioxin (any congener)
- 49 reactive chemicals
- 50 reducing agents
- 51 residues from industrial waste treatment or disposal operations
- 52 selenium and selenium compounds
- 53 sewage sludge and residues, including nightsoil and septic tank sludge
- 54 surface active agents (surfactants) containing principally organic constituents, whether or not also containing metals and other inorganic materials
- 55 tallow
- 56 tannery wastes, including leather dust, ash, sludges and flours
- 57 tarry residues arising from refining, distillation or any pyrolytic treatment
- 58 tellurium and tellurium compounds
- 59 thallium and thallium compounds
- 60 triethylamine catalysts for setting foundry sands
- 61 tyres
- 62 vanadium compounds
- 63 vegetable oils
- 64 waste containing peroxides other than hydrogen peroxide
- 65 waste from a heat treatment or tempering operation that uses cyanides
- 66 waste from surface treatment of metals or plastics

Schedule 7

- 67 waste from the manufacture, formulation or use of the following—
- biocides or phytopharmaceuticals
 - inks, dyes, pigments, paints, lacquers or varnish
 - organic solvents
 - photographic chemicals or processing materials
 - resins, latex, plasticisers, glues or other adhesives
 - wood-preserving chemicals
- 68 waste from the manufacture or preparation of pharmaceutical products
- 69 waste of an explosive nature, other than an explosive within the meaning of the *Explosives Act 1999*
- 70 wool scouring wastes
- 71 zinc compounds

- (3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

Threshold	Aggregate environmental score	3
1 carrying out the relevant activity if— (a) the regulated waste is in a solid form or an aqueous solution or suspension; and (b) no more than 10t of regulated waste is stored or processed at the facility in a day; and (c) all liquid or solid waste generated from the activity is released to a local government's sewerage infrastructure or a facility mentioned in section 56, 58, 60 or 61	9	C
2 otherwise carrying out the relevant activity	85	C

56 Regulated waste storage

- (1) Regulated waste storage (the *relevant activity*) consists of operating a facility for receiving and storing regulated waste for more than 24 hours.
- (2) The relevant activity does not include—
- (a) storing tyres or parts of tyres; or
 - (b) storing regulated waste in transit; or
 - (c) storing at a facility, for no more than 28 days, any of the following, awaiting removal from the facility for recycling, reprocessing, treatment or disposal—
 - (i) fewer than 500 batteries;
 - (ii) pharmaceuticals;
 - (iii) body parts;

Schedule 2

- (iv) clinical waste consisting only of sharps in sharps containers that comply with AS 4031 or AS/NZ 4261;
- (v) less than 5000L of waste oil; or
- (d) storing at a facility, for no more than 90 days, chemically treated power poles awaiting removal from the facility for recycling, reprocessing, treatment or disposal; or
- (e) carrying out an activity to which section 20, 25, 27, 53, 60, 61 or 62 would apply if the activity were carried out within a stated threshold under the section; or

Editor's note—

section 20 (Metal recovery), 25 (Meat processing), 27 (Seafood processing), 53 (Composting and soil conditioner manufacturing), 60 (Waste disposal), 61 (Waste incineration and thermal treatment) or 62 (Waste transfer station operation)

- (f) carrying out an activity to which section 55 or 58 applies.
- (3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

Threshold	Aggregate environmental score	3
receiving and storing regulated waste	21	C

- (4) In this section—

AS 4031 means 'AS 4031:1992—Non-reusable containers for the collection of sharp medical items used in health care areas'.

AS/NZ 4261 means 'AS/NZ 4261:1994—Reusable containers for the collection of sharp items used in human and animal medical applications'.

in-transit, in relation to storing regulated waste, means storing the waste for no more than 5 days, including, for example, while transporting the waste or because of an unavoidable delay in transporting the waste.

57 Regulated waste transport

- (1) Regulated waste transport (the *relevant activity*) consists of—
- (a) transporting on a non-commercial basis 250kg or more of regulated waste in a vehicle; or
 - (b) transporting on a commercial basis any quantity of regulated waste in a vehicle.
- (2) The relevant activity does not include transporting chemically treated power poles in a vehicle.
- (3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

Threshold	Aggregate environmental score
1 transporting tyres	no score
2 transporting regulated waste, other than tyres, in—	
(a) 1 to 5 vehicles	7
(b) 6 to 35 vehicles	21
(c) 36 or more vehicles	42

- (4) In this section—

vehicle includes the part of an aircraft, boat, rolling stock, semi-trailer, tanker, trailer or truck, used to transport the regulated waste.

58 Regulated waste treatment

- (1) Regulated waste treatment (the *relevant activity*) consists of operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous.
- (2) The relevant activity does not include—
- (a) carrying out an activity to which section 25, 27, 53, 59 or 61 would apply if the activity were carried out within a stated threshold under any of those sections; or

Editor's note—

section 25 (Meat processing), 27 (Seafood processing), 53 (Composting and soil conditioner manufacturing), 59 (Tyre recycling) or 61 (Waste incineration and thermal treatment)

- (b) carrying out an activity to which section 52 or 55 applies; or
 - (c) remediation of contaminated soil at the site of the contamination.
- (3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

Threshold	Aggregate environmental score	3
operating a facility for receiving and treating regulated waste or contaminated soil to render the waste or soil non-hazardous or less hazardous	90	C

- (4) In this section—

regulated waste does not include reconditioned drums or containers that are clean and do not contain residues.

59 Tyre recycling

- (1) Tyre recycling (the *relevant activity*) consists of operating a facility on a commercial basis for receiving and recycling or receiving and reprocessing 1000 or more equivalent passenger units of tyres, or parts of tyres in a year.
- (2) The relevant activity does not include retreading tyres.
- (3) There is no aggregate environmental score for the relevant activity.

60 Waste disposal

- (1) Waste disposal (the *relevant activity*) consists of only 1 of the following—
 - (a) operating a facility for disposing of—

- (i) only regulated waste; or
- (ii) regulated waste and any, or any combination, of the following—
 - (A) general waste;
 - (B) limited regulated waste;
 - (C) if the facility is in a scheduled area—no more than 5t of untreated clinical waste in a year;
- (b) operating a facility for disposing of, in a year, 50t or more of waste consisting of—
 - (i) only general waste; or
 - (ii) general waste and either, or a combination, of the following—
 - (A) a quantity of limited regulated waste that is no more than 10% of the total amount of waste received at the facility in a year;
 - (B) if the facility is in a scheduled area—no more than 5t of untreated clinical waste.
- (2) The relevant activity does not include using clean earthen material as fill.
- (3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

Threshold	Aggregate environmental score	3
1 operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection (1)(a)—		
(a) less than 50000t	50	C
(b) 50000t to 100000t	82	C
(c) more than 100000t but not more than 200000t	100	C
(d) more than 200000t	110	C

Schedule 2

Threshold	Aggregate environmental score	3
2 operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection (1)(b)—		
(a) 50t to 2000t	13	
(b) more than 2000t but not more than 5000t	20	
(c) more than 5000t but not more than 10000t	29	
(d) more than 10000t but not more than 20000t	41	C
(e) more than 20000t but not more than 50000t	53	C
(f) more than 50000t but not more than 100000t	58	C
(g) more than 100000t but not more than 200000t	73	C
(h) more than 200000t	96	C

(4) In this section—

clean earth means earth that has trace elements and contaminant levels within the interim ecologically-based investigation levels for urban land use under the document 'Schedule B(1)—Guidelines on the Investigation of Soil and Groundwater', forming part of the National Environment Protection (Assessment of Site Contamination) Measure 1999.

Editor's note—

The National Environment Protection (Assessment of Site Contamination) Measure 1999 made under the *National Environment Protection Council Act 1994* (Cwlth), section 14(1), is available at government bookshops. On the day this regulation was notified in the gazette the document was also available on the Environment Protection and Heritage Council's website at <www.ephc.gov.au>.

clean earthen materials means—

(a) bricks, pavers, ceramics or concrete that does not contain embedded steel reinforcing rods, pulverised to a size of no more than 100mm; or

(b) clean earth.

facility includes a naturally occurring or constructed hollow or pit, including, for example, a gully, mining shaft or quarry, but does not include a hollow or pit on a farm used for receiving and disposing of general waste produced on the farm.

61 Waste incineration and thermal treatment

(1) Waste incineration and thermal treatment (the **relevant activity**) consists of operating a facility for incinerating or thermally treating waste.

(2) The relevant activity does not include—

(a) incinerating human or animal remains unless the remains are clinical waste or quarantine waste; or

(b) thermal treatment of waste carried out as part of another activity that is a concurrence ERA.

Example—

thermally treating waste to generate electricity under section 14 (Electricity generation)

(3) In the following table, the aggregate environmental score, if any, for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

Threshold	Aggregate environmental score	3
1 incinerating waste vegetation, clean paper or cardboard	no score	C
2 incinerating or thermally treating, in a year, the following quantity of general waste—		
(a) less than 5000t	18	C

general waste means waste other than regulated waste.

groundwater means underground water.

hard rock mining means extracting material from underground, or open cut pits, and processing it by crushing or milling and using chemical methods or gravity-separation to extract minerals from it.

highest astronomical tide means the highest level of the tides that can be predicted to occur under average meteorological conditions and under any combination of astronomical conditions.

high hazard dam means a dam that is assessed as being in a high hazard category within the meaning of the document 'Manual for assessing hazard categories and hydraulic performance of dams' published by the department.

Editor's note—

A copy of the document is available free of charge, during business hours, from the department's head office at level 3, 400 George Street, Brisbane.

industrial waste see the Waste Management Regulation, schedule 9.

initial mixing zone, for chapter 4, see section 47.

interim period, for chapter 9, part 3, see section 160.

JAS-ANZ, for chapter 8, part 3, division 2, see section 122.

limited regulated waste means any of the following types of regulated waste—

- (a) animal effluent and residues, including abattoir effluent and poultry and fish processing waste;
- (b) asbestos;
- (c) food processing waste;
- (d) quarantine waste that has been rendered non-infectious;
- (e) sewage sludge or residue produced in carrying out an activity to which schedule 2, section 63 applies;

Issues for discussion with Department of Environment and Heritage – Meeting Monday 2nd September 2013.

BACKGROUND

Over recent months the Jacobs Well community have become increasingly concerned with the operational activities of the sand mining operations at 995/991 Pimpama Jacobs well Road. Some of the major concerns are:

- Obvious damage to the surrounding environment including pot holes in the road, broken windscreens to cars using the road, road pollution and consequential dust storms, and the frequency of heavy duty dual trucks using a road infrastructure that was not built for the traffic (this also relates to high speed of some vehicles, access point manoeuvring at the site, material spillage)
- Concerns about the water quality of the lakes including pH levels and materials currently being dumped in the lake. Concern about the self-management of assessing water quality by site staff.
- Concerns about the tankers currently transporting materials (liquids) to the site as this does not seem to comply with MCU approvals to deposit clean fill waste.
- Concern that a rehabilitation plan for the site has not been finalised despite this being required under MCU2600217/ PN147523/01/DA5.
- Concern about reduction of the western buffer zone from 40 metres to 20 metres and alignment of Lots 1 and 2. This would seem to substantially increase the operations of the site and impact on the local environment and community.
- Overall concern regarding the toxicity of the lakes and the potential impact on the environment and local communities.

DISCUSSION POINTS

s78B(2) - Substantial harm to an entity

deeply concerned about the duty of care to the local area and where authority lies to ensure the site complies with all of its conditions of approval, minimises the impact on the environment and produces a rehabilitation proposal that will rehabilitate the site to acceptable levels. As part of developing the Environmental Sub-Committee's understanding of these issue the following are proposed as discussion points for the meeting:

- The role and responsibilities of the major authorities including DEH, DERM and Gold Coast Council in monitoring site activities, ensuring compliance with mining approval conditions and minimising operations impact on the environment.
- Site compliance with approvals. The Sub-Committee understands that the site has not complied with certain conditions of approval under MCU2600217 of 2008

regarding a decommissioning plan and an environmental management plan. If this is still the case, why is it allowed to continue given the time since approval?

- What is available to the Sub-Committee under FOI?
- Does DEH have assessments of the underlying water table? Is the water table supplied from the Tambourine escarpment?
- How would DEH handle a complaint from the community that a toxic water pit exists? Given the concerns of the community including: the impact of operations on the environment; current dumping in the lakes; previous notices and infringement fines to the Waragap Pty Ltd, Queensland Sand and Soil, and Oxenford Parklands; and the fact that when the site operated as a nursery the lake water quality was deemed to be drinkable, this would seem a reasonable action. The closeness of the sand mining operations to the local community leads to considerable anxiety on this issue.

Waragap trading as Wholesale Sands

Outstanding Issues	Updates	Proposed Action
Development Approval		
Annual Return – 9/9/2011 to 8/9/2012 Received on 29 August 2012 Question 9 – Since your last annual return, have you fully complied with the conditions of your Development Approval? Answer 9 – Yes.	The Annual Return Form received by the department on 29 August 2012 was undated. The Warning Letter and Compliance Inspection Letter were both issued on 10 August 2012. At the time of the Annual Return Form lodgement the operator should have been aware of non-compliances with the conditions of the development approval.	Discuss this issue during the site inspection.
Condition A3 -1 Site based management plan - refuelling area. Require photograph of sump or SBMP to be amended.	Check if SBMP amended or if photograph of sump has been submitted.	Bevan contacted CSB regarding the SBMP. CSB stated that the SBMP must reflect what is installed on the site. Bevan stated that the sump is the concreted area below the fuel tank. Photographic evidence of the sump was requested by CSB. No photograph has been provided. It is recommended that the requirements of AS1940 are clearly articulated to the site operator. A follow up inspection is required and this should be addressed during this inspection.
Condition C1-5 Pond conditions	Check to see if further details regarding the bund were supplied to the department.	Bevan Laming contacted CSB to ask what information is required for this request. CSB stated that information regarding the material used to construct the bund is to be supplied to the department. Bevan stated on the telephone how the bund was constructed. CSB requested this information is writing. Inspect bund construction. Request further

		information regarding the construction of the bund.
Schedule J – Plan of development	Check for submission of updated plan.	No updated plan has been submitted to the department. This plan will be required when the DA's are amalgamated or when the conditions of the DA are updated. To be discussed during site visit and a copy of the plan requested.
CR57889 – Complaint received regarding sediment on Behms Road and Pimpama Jacobs Well Road. Complainant states the issue is ongoing.	To be inspected during site inspection on 5 April 2013.	To inspect
BUA's		
Drilling waters – initial response – 'these waters are mostly 'soily' waters'. Further details about what is being accepted and how the material is being used.	Check for further response.	No further information has been received regarding the soily waters. It is recommended that the department requests the operator to provide a list of the exact materials being accepted at the site and what the material is used for. This information can be verbally requested during the on-site meeting and followed up in a departmental letter.
Purpose of concrete washout to treat low pH water, not for ASS treatment. Further information requested.	Check for response.	No further information has been received by the department regarding amendments to the BUA to allow for the use of concrete washout material to treat acid sulfate soils. BUA application is being assessed by BUA team.
CRxxx – Dumping of illegal waste at night	To request further information during site inspection.	Information to be requested: Time of day that material is being transported to the site

		<p>A list of all material received at Pimpama Jacobs Well Road</p> <p>List of all material received at site from 25 March to 1 April 2013 including date and time.</p>
Actions to be address internally		
Combine development approvals	Check to see if DA's can be amalgamated.	<p>Further enquiries will be made to check if DA's can be amalgamated.</p> <p>If not, conditions of the DA's will be amended to be consistent across each DA.</p>
Condition C1-2 Water – relook at filtration samples	Check to see if a response has been made regarding this requirement.	<p>The department requested further investigation is required to determine if the dredge pond is affecting the groundwater.</p> <p>The consultant has not provided any further information regarding this request.</p> <p>It is recommended that further investigation is required into this and whether the groundwater limits are amended as they are currently non-compliant and it may be due to external influences, rather than the activity itself.</p> <p>Internal scientific advice to be requested.</p>
Condition C1-2 Groundwater	<p>Check for further information regarding impact of dredge pond on groundwater. Further information about groundwater impacts.</p> <p>Non compliances still experienced. Report states that no impact</p>	<p>The site continues to experience non-compliance with the groundwater limits of the DA's.</p> <p>It is recommended that further investigation is required into this and whether the groundwater</p>

Intelligence report requested due Sep 17?

		limits are amended as they are currently non-compliant and it may be due to external influences, rather than the activity itself. Internal scientific advice to be requested.
Finalised Actions		
Letter from s78B(2) - substantial harm s78B(2) - Substantial harm	contacted via telephone to discussed content of letter. No return phone calls were received.	Departmental Letter sent on 19 February 2013
Just wondering if you have had any involvement with a site called Wholesale Sands, at 1754 Stapylton-Jacobs Well Rd, or if you could point me in the direction of anyone in your office that has. One of my sites here at Pinkenba sends off regulated waste (fertiliser washings) to Wholesale Sands and I have concerns about it as I can't find the site in Ecotrack as being registered for an ERA.	Check dates of material being sent to site. Is it after the warning letter? Find confirmation from Bevan / Denis that no more material to be sent to the site.	<p>The warning letter stated that it is unlawful to accept regulated waste into the pond. In addition the letter states that accepting regulated waste onto the site may trigger ERA 55 or ERA58.</p> <p>On 15 August Bevan stated that the fertiliser washing was being placed at the back of his residential property and that Dennis Baker was doing tests on the material.</p> <p>The investigation did not reveal that the site was accepting illegal material after the warning letter was issued on 10 August 2012. No further action required.</p>
Condition A4-1 – Buffer walls reinstatement.	Review Fax dated 19 th December 2012 regarding new buffer zone. Plan submitted to the department depicting a 40m buffer wall with a 1:3 slope. The buffer proposed to be constructed the same as the bund wall separating Lot 1 RP186126 and Lot 1 SP102616.	Information supplied is sufficient. No further action necessary.

Running Sheet Summary

Complaint/Report Ref: CR59966

Complainant						
Ref	Name	Address	Phone	Mobile	Fax	Email
sch3(10)(1)(b) Confidential source of information						

Alleged Source						
Ref	Name	Address	Phone	Mobile	Fax	Email
402014	Waragap Holdings Pty Ltd	1754 Jacobs Well Road JACOBS WELL QLD 4208	07 5546 1454	Sch 4 - Perso	07 5546 1644	

Incident Location		
Name	Risk Level	Address
1021 Pimpama Jacobs Well Road		1021 Pimpama Jacobs Well Road JACOBS WELL QLD 4208

Source Ref: CR59966

Action Source Ref:

Date Commenced: 22/AUG/13 First Action: Y

Officer Involved: DAVIS, Megan

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Telephone Call

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: received complaint

Time Spent Hours:

Time Spent Minutes: 30

Outcome: Action Required - further investigation

Outcome Description: Contacted operator and left telephone message.

Due Date:

Date Completed:

RTI/DL RELEASE - EHP



Davis Megan

From: Hertslet Bryce
Sent: Tuesday, 20 August 2013 9:17 AM
To: Glosko Brett; Corro EHP ESR Southern
Cc: Davis Megan; Quintal Claire; Hollister Angie
Subject: RE: Update for CTS 12147/13 - Lakes at Jacobs Well - Due to Corro EHP ESR Southern by 11am Tuesday 20 August 2013

An update from the Gold Coast team is below:

The investigation into allegations of inappropriate disposal of wastes within the dredge ponds of sand extraction operators within the Pimpama-Jacobs Well area is continuing.

The Department of Environment and Heritage Protection (the department) held a meeting with Gold Coast City Council officers in relation to this matter to discuss ongoing compliance issues and have conducted joint inspections with council officers. The department will continue to work with council to manage any ongoing complaints at these sites.

The department's intelligence team is currently finalising their analysis of all potential incoming waste sources and waste transport operators known to have gained access to these sites. This analysis will be finalised and information provided to the regional team in the coming weeks.

Authorised officers of the department have undertaken numerous unannounced site inspections. This has included business hours site inspections, and covert observation outside of business hours. During each site inspection, officers observed that only clean fill and drilling waters were being accepted onsite in accordance with each of the operators current approvals.

In addition, the department has received a number of complaints over the past three months alleging sediment being tracked onto the Pimpama-Jacobs Well Road by vehicles accessing/leaving these sites. In response to these complaints, departmental officers undertook site inspections on 6 June, 20 June, 15 July and 6 August. Site operators were provided correspondence directing rectification of these matters. During the most recent inspection, departmental officers observed that to achieve compliance, site operators have now installed, or are in the process of installing additional site infrastructure designed to address the risk of sediment being tracked off the site/s. This includes wheel wash's, sealing of internal haul roads and concreting of entry and exit points to the site/s. The department will be undertaking a follow up inspection of these sites with in the coming months to determine whether the works that have been installed are effectively reducing sediment from being tracked onto the Pimpama-Jacobs Well Road.

Complainants that have contacted the department over the past three months have been provided with email updates regarding the ongoing investigation and works at these sites.

Bryce Hertslet

Regional Manager - Southern Region
Department of Environment and Heritage Protection
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Hon Andrew Powell MP
Member for Glass House

Ref CTS 07108/12



Queensland
Government

Minister for Environment
and Heritage Protection

26 JUN 2012

Mr Michael Crandon MP
Member for Coomera
PO Box 80
OXENFORD QLD 4210

Dear Mr Crandon

Thank you for your email of 29 May 2012 making representation on behalf of [s78B(2) - Substantial harm] concerning the receipt of material at the sand extraction sites located in Jacobs Well.

I am advised that, in March 2012, a copy of [s78B(2) - Substantial harm] letter sent to your office was received by the Gold Coast office of the Department of Environment and Heritage Protection. The department has subsequently been in contact with [s78B(2) - Substantial harm] regarding the matters raised in the letter. Most recently, the department contacted [s78B(2) - Sub] in late May 2012 to provide an update regarding the environmental monitoring regime that occurs at the sand extraction site.

[s78B(2) - Substantial harm] has recently discussed the questions posed in its letter in some detail with departmental staff. However, it appears that no written response has been provided. I have been advised that officers from the Gold Coast office are now drafting a written response and will send it to [s78B(2) - Substantial harm] shortly.

The site referred to by [s78B(2) - Substantial harm] is regulated under several Development Approvals and Beneficial Use Approvals. These approvals contain stringent environmental monitoring and record keeping requirements. All water quality monitoring required by these approvals must be conducted by a suitably qualified person in accordance with the department's *Water Quality Monitoring and Sampling Manual*. A copy of these approvals can be requested through the department's Permit and Licensing Management unit for a nominal fee.

The safety concerns associated with traffic entering and exiting from the site should be referred to the Gold Coast City Council as they are not within the department's jurisdiction.

I can also advise that the department has commenced a compliance audit program of all sand extraction operations across the Gold Coast, including assessment of potential impacts on surface and groundwater quality. During this ongoing program, [s78B(2) - Substantial harm] [s78B(2) - Subs] will be provided with regular updates in relation to its concerns.

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400 George Street Brisbane Qld 4000
GPO Box 2454 Brisbane
Queensland 4001 Australia
Telephone +61 7 3239 0844
Facsimile +61 7 3227 6309
Email environment@ministerial.qld.gov.au

I encourage members of the community who have ongoing concerns about this site to contact Ms Zoe Helyer, Principal Environmental Officer, Environmental Services of the department on telephone 5583 2132.

I hope this information has been of assistance to you. Should you have further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely



ANDREW POWELL MP

Minister for Environment and Heritage Protection

Davis Megan

CR 59946

From: Davis Megan
Sent: Tuesday, 20 August 2013 1:39 PM
To: s78B(2) - Substantial harm
Cc: Hollister Angie; Spence Samantha
Subject: Public Register Search for Waragap Pty Ltd approvals
Attachments: Directions to Robina Office.doc

Good Afternoon s78B(2) - Substantial harm

As discussed on the phone this afternoon, you can request a Public Register Search for the current environmental approvals for the site operated by Waragap Pty Ltd by emailing a request to: palm@ehp.qld.gov.au. This is the department's Permit and License Management (PALM) Unit who will process your request. PALM can also be contacted on telephone 1300 130 372. The cost for a Public Register Search is \$6.65 for the first 5 pages, then 67c for each page thereafter.

I've sent a tentative meeting request to you for Monday the 4th September at 9am. Attached is the map showing how to get to our offices. Please confirm the Thursday before the meeting whether you are still available to attend this meeting. The department will only be able to provide limited information in relation to the operations at the site due to privacy laws but can provide a general outline of the regulation that is undertaken by the department.

Please don't hesitate to contact me should you have any questions.

Regards,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



Queenland
Government

Davis Megan

CR59946

From: Hollister Angie
Sent: Friday, 16 August 2013 3:01 PM
To: Davis Megan
Subject: s78B(2) - Personal Information

Follow Up Flag: Follow up
Flag Status: Completed

Hi Megan,

On Monday can you please give s78B(2) a call from s78B(2)

He is concerned about the sand mine in Jacobs well and wants to talk to EHP about the longevity of the site & any environmental issues the community should be aware of.

I asked him what mine in particular? He said the Jacobs Well one.

So.....checked with Claire and she has not spoken to s78B(2) before.

So by default I guess he would be talking about Waragap, Nth End and Eco all in conjunction believing it's the one site. Can you please call him and clarify there are a number of sites and approvals in the area, conducting different activities.

That aside, he wants to come and meet with EHP to discuss the site/s and see if there is anything the community should be concerned with.

A bit vague – therefore I don't suggest a blind meeting, perhaps just ask if he has some specific questions that you could address by way of letter or email in the first instance.

Thanks!

Angie Hollister
Principal Environmental Officer (Gold Coast)
Environmental Services & Regulation - Southern Region
Department of Environment and Heritage Protection
Ph: (07) 5583 2148 Fax: (07) 5583 2136
E-mail: angie.hollister@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au

Glosko Brett

From: Sch 4 - Personal information
Sent: Friday, 26 July 2013 12:50 PM
To: Coomera Electorate Office
Subject: JW Concerns
Attachments: s78B(2) Letter to Michael Crandon.doc; Acid Lake Problem & Plan-1.docx

Hi Michael, Here are our concerns, Cheers s78B(2)



This email, together with any attachments, is intended for the named recipient(s) only; and may contain privileged and confidential information. If received in error, you are asked to inform the sender as quickly as possible and delete this email and any copies of this from your computer system network.

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Unless stated otherwise, this email represents only the views of the sender and not the views of the Queensland Government.

Please consider the environment before printing this email.

RECEIVED / REGISTERED
Dept of Environment and Heritage Protection
Gold Coast

16 AUG 2013

File #:	SOR113337
Item #:	2234088



Department of
**Environment and
Heritage Protection**

Enquiries: Megan Davis
Telephone: (07) 5583 2146
Our reference: 241591 / BST 885 v 7

16 August 2013

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well QLD 4208

Dear Mr Laming

RE: Warning Letter – Sediment on public road and roadside gutters

I refer to the warning letter issued to you with respect to the release of prescribed water contaminants (sediment) from the site described at Lot 1 Plan RP186126, Lot 1 Plan SP102616 and Lot 6 Plan RP6848 situated at Behms Road, Jacobs Well (the site).

Departmental officers inspected the site on 6 August 2013 and observed the wheel wash you have installed at the exit point on Pimpama-Jacobs Well Road to prevent sediment from being deposited on public roads and roadside gutters from the site.

Whilst the department acknowledges that you are implementing measures to reduce the sediment from leaving the site, it was noted during the inspection that sediment has built up in the stormwater gutter along Behms Road – see Attachment 1, Figures 1 to 3. Depositing sediment in a roadside gutter or stormwater drainage is an offence under section 440ZG of the *Environmental Protection Act 1994*. It may also be a breach of the conditions of your Environmental Authority EPPR00690613 (formerly SPCE01179810, IPCE00615207 and IPDE00383806B11).

Departmental officers will inspect the site in the first week of September 2013. If the sediment is not removed, further enforcement action may be taken.

If you wish to discuss this matter further please contact Megan Davis, Senior Environmental Officer, on telephone 5583 2146.

Yours sincerely

sch4 - Personal information

Brett Glosko
Manager (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection

Level 1 APVC Building
14 Edgewater Court Robina
PO Box 4244
Robina Town Centre
Queensland 4230 Australia
Telephone + 61 7 5583 2137
Facsimile + 61 7 5583 2136
Website www.ehp.qld.gov.au
ARN 46 640 294 485

Attachment 1



Figure 1 – Sediment adjacent to Waragap Entry/Exit point on Behms Road



Figure 2 – Sediment under Wholesale Sands sign



Figure 3 – Sediment along Behms Road adjacent to Waragap Entry/Exit point on Behms Road

Inspections Toolkit

Environmental Protection Act 1994

(Level A, B and C) Checklist, On-Site Record & Inspection Report

1. General information

Company name: Waragap Pty Ltd 241591		Date of inspection: 6 August 2013	Time: 1pm
Trading as: Wholesale Sands – previously Beejays Investments		EA number: EPPR00690613	
Description of business activity/ERAs and EA's/BUA's: Lot 1 Plan RP193686 and Lot 2 Plan SP102616 DA: SPCE01179810 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material. DA: IPCE00615207 – ERA 16 3 (a) screening, in a year, 5000t to 100 000t of material BUA: ENBU01192410 – concrete washout to treat ASS BUA: ENBU01383110 – accepting drilling waters to obtain sand Lot 1 Plan RP186126, Lot 1 Plan SP102616, Lot 6 Plan RP6848 DA: IPDE00383806B11 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material and ERA 16 3 (b) screening, in a year, 100 000t to 1 000 000t of material BUA: ENBU02025510 – accepting concrete washout materials to treat ASS		File number: BST885 v 7	
Street address: 961 Pimpama Jacobs Well Road, Jacobs Well			
Site representative/s: Graham Laming	Position/s: Son of owner/operator (Bevan was out of state)	Contact telephone: 5546 1454 <div style="border: 1px solid black; padding: 2px;">sch4 - Personal inform</div>	
Department's representatives: Megan Davis, Angie Hollister			
Registered business address: Waragap Holdings Pty Ltd Suite 1, 86 Mount Eliza Way, Mount Eliza VIC 3930			
Inspection level (check box): Level A ☒ Level B ☐ Level C ☐			

inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

2. Pre-inspection considerations

Environmental risk	Low
Last inspection date	15 July 2013
General description of location and surrounding environment	<p>The site is located at Jacobs Well – a floodplain of the Logan/Albert River. The department has been verbally advised that the sand deposit is likely to have been washed down from the river and covered some time ago as it is not a saline sand.</p> <p>The area has naturally occurring high groundwater – which is why it is known as Jacobs Well – and it appears that this is naturally influenced by acid sulphate soils as the entire region has low pH ground waters with high aluminium and iron levels, particularly after rainfall.</p>
History of the activity	<p>Ongoing sand extraction and screening site. Potential issues with groundwater contamination due to high pH in pond waters (high groundwater level in this area). Ongoing issues with dust, sediment on the road, potential waste acceptance and breach of pond walls resulting in water entering neighbouring site (North End Industrial s78B(2) Site is continuing to extract sand, screen it and sell it. Also holds BUA's to accept clean fill and drilling waters to deposit into pond. Long term aim to refill pond with clean fill. In some area's pond is 8m in depth.</p>
Outstanding issues and/or non-compliances/enforcement (e.g. environmental protection orders)	<p>Ongoing complaints from the local community regarding dust nuisance and sediment on the road from the properties entry driveways. Complaint received 15 July 2013 alleging drilling waters are coming off the site and bentonite contamination within stormwater drains and on-site extraction pond</p>
Industry specific hazards – consider personal safety	
Waste	Possible inert waste on site
Quarrying	Dust – from dumping clean fill onto the site to use as fill for the onsite lake. Large vehicles moving around the site and entering/exiting site.
Other	NA
Personal protective equipment (PPE) – consider whether any PPE is required	
Safety helmet	Yes ☐ No ☒
Hearing protection	Yes ☐ No ☒
Eye protection	Yes ☐ No ☒
Protective clothing	Yes ☒ No ☐
Protective footwear	Yes ☒ No ☐
Respiratory protection	Yes ☐ No ☒
Other	Yes ☒ No ☐ If yes, describe PPE: High Vis vest -
Arrange safety induction training with occupier of site before any	Yes ☐ No ☒

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

work is done	
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3. Observations

Location	Observation
Wheel Wash on site at Exit point to Pimpama-Jacobs Well Road, Jacobs Well.	A wheel wash has been installed – see Figure 1 and 2. The dirty water will be directed back into the on-site pond. The wheel wash is not yet operational as it is awaiting a power upgrade to three phase power for the site. Will be operational in approximately one week. Entry/Exit signs have been ordered and will be received within a week and installed on the property fences to direct traffic into second entry and out of first (see map attached below).
Pimpama Jacobs Well Road	The amount of sediment on Pimpama-Jacobs Well Road has decreased since the last inspection – see Figure 3.
Sediment is being tracked from the site onto the road from the entry/exit point on Behms Road.	Sediment does not appear to be tracked from the waragap site on the Behms Road entry/exit point, see Figure 5 however, sediment has built up in the roadside gutter adjacent to the entry/exit area see Figure 4. A letter will be sent to the operator advising that this sediment needs to be removed from the roadside gutter.



Figure 1 – Wheel Wash installed on site at Exit Point 1 (see map below)



Figure 2 – Wheel wash flows back into onsite pond



Figure 3 – Sediment Pimpama-Jacobs Well Road approaching Entry Point



Figure 4 – Sediment adjacent to entry/exit point on Behms Road



Figure 5 –Behms Road entry/exit



Figure 6 – sediment in gutter adjacent to waragap entry/exit point on Behms Road

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

4. Inspection results summary

Overall Findings

General observation/s	<p>Sediment volume was reduced from previous inspection but still observed sediment on road from Waragap's operations at both Behms Road and Pimpama-Jacobs Well Road and is building within the roadside gutters particularly on Behms Road side.</p> <p>Wheel wash has been installed but is not yet operational – awaiting power connection.</p>
Compliance level	<p>☒ Environmental nuisance/minor non-compliance (breach of 440ZG of EP Act – minor water contamination) on Behms Road entry/exit point – letter to be sent to operator.</p> <p>☐ Actual or risk of material harm/repeat non-compliance</p> <p>☐ Actual or risk of serious harm</p> <p>☐ Compliant</p> <p>☐ Fully compliant/best practice</p>
Environmental risk	<p>☐ (1) Very low</p> <p>☒ (2) Low</p> <p>☐ (3) Moderate</p> <p>☐ (4) High</p> <p>☐ (5) Very high</p>

5. Natural justice

☒ The person has been provided with the opportunity to put their side of the story forward.

☒ List any information and/or defences provided.

Bevan said that he realised that the current measures were not adequate and he was installing the wheel wash as soon as possible (installed next week, operating the following week).

☒ The Department has considered the information or defences provided.

The department will inspect the site in two weeks time to observe the ESC measures (wheel wash).

☒ The decision-maker and environmental officer are free from bias or the perception of bias.

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

6. Ecotrack

Ecotrack case number	CA28934	
Activity	Time (hours)	Comments
Planning	0.5	
Inspection	0.5	Observed entry points on the site for approximately 5 minutes each and took photographs, discussed with operator Graham Laming
Reporting	0.5	
1.5	1.5	

7. Recommendation

Enforcement measure	Date issued:	Type:	Next due date:
	Wait a few weeks and re-inspect site to ensure wheel wash is operational. Send warning letter advising that PIN will be issued if sediment isn't cleaned out of the gutter on Behms Road side.		
Next inspection date	30 August 2013		

8. Endorsement

The recommending officer and supervisor are required to sign and date below.

Recommending Officer		Supervisory Review	
Signature:	sch4 - Personal information	Signature:	sch4 - Personal information
Print Name:	Megan Davis	Print Name:	Angie Hollister
Position:	Senior Environmental Officer	Position:	Principal Environmental Officer
Date:	16 July 2013	Date:	7/8/13

Map of Site and Observations during Inspection



Davis Megan

From: Davis Megan
Sent: Thursday, 25 July 2013 8:53 AM
To: [sch3(10)(1)(b) Confidential source d]
Cc: Hollister Angie
Subject: RE: sand mining dump

Good Morning [sch3(10)(1)(b) Confidential]

Thanks for the email and sending through the photos.

The volume of sediment on the road is not acceptable and the department has formally warned the operator via written letter last week that a fine will be issued if immediate action is not taken. As per the update I provided on Monday of this week, the operator has advised he is installing a wheel wash and is sealing the internal road of the site. I spoke to the operator yesterday and he advised that the concrete for the new wheel wash was to be poured this week.

I have been liaising with council in relation to this matter as well and we will be undertaking a joint inspection once the new wheel wash has been installed.

Thanks again for keeping me updated.

Regards,

Megan Davis

Senior Environmental Officer (Gold Coast & Scenic Rim) Southern Region Environmental Services and Regulation

Department of Environment and Heritage Protection

Tel: 07 55832146 Fax: 07 55832136

E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au

-----Original Message-----

From: [sch3(10)(1)(b) Confidential source of information]

Sent: Wednesday, 24 July 2013 9:09 PM

To: Davis Megan

Subject: Re: sand mining dump

Hello Megan

I took these photos of the road outside the sand mining dump. The last photo is sediment from our car in our garage which is 2km from the sand mining dump.

[sch3(10)(1)(b) Confid

Davis Megan

CR 58625

From: sch3(10)(1)(b) Confidential source of information
Sent: Wednesday, 24 July 2013 9:09 PM
To: Davis Megan
Subject: Re: sand mining dump
Attachments: IMG_1939.jpg; IMG_1940.jpg; IMG_1941.jpg; IMG_1937.jpg; ATT371466.txt

Hello Megan

I took these photos of the road outside the sand mining dump. The last photo is sediment from our car in our garage which is sch3(10)(1)(b) Confidential source of information from the sand mining dump.

sch3(10)(1)(b) Confidential source of information

RTI/DL RELEASE - EHP





Running Sheet Summary

Complaint/Report Ref: CR59643

Complainant						
Ref	Name	Address	Phone	Mobile	Fax	Email
sch3(10)(1)(b) Confidential source of information						

Alleged Source						
Ref	Name	Address	Phone	Mobile	Fax	Email
402014	Waragap Holdings Pty Ltd	1754 Jacobs Well Road JACOBS WELL QLD 4208	07 5546 1454	sch4 - Person	07 5546 1644	

Incident Location		
Name	Risk Level	Address
Pimpama Jacobs Well Road PIMPAMA QLD 4209		Pimpama Jacobs Well Road PIMPAMA QLD 4209

Source Ref: CR59643

Action Source Ref:

Date Commenced: 25/JUL/13

First Action: N

Officer Involved: DAVIS, Megan

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Telephone Call

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: Telephoned JJ Richards Environment and Compliance Advisor Kurt Whalan and requested further information about what was deposited by that vehicle that day.

Time Spent Hours:

Time Spent Minutes: 30

Outcome: Action Required - further investigation

Outcome Description: Will provide further information.

Due Date:

Date Completed:

Source Ref: CR59643

Action Source Ref:

Date Commenced: 25/JUL/13

First Action: Y

Officer Involved: DAVIS, Megan

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Email Received

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: received email alleging waste receipt at Waragap Pty Ltd on Pimpama-Jacobs Well

Time Spent Hours:

Time Spent Minutes: 30

Outcome: Action Required - further investigation



Running Sheet Summary

Outcome Description: responded to council advising of environmental approvals that are held.

Due Date:

Date Completed:

RTI DL RELEASE - EHP

Inspections Toolkit

Environmental Protection Act 1994

(Level A, B and C) Checklist, On-Site Record & Inspection Report

1. General information

Company name: Waragap Pty Ltd 241591		Date of inspection: 15 July 2013	Time: 2pm
Trading as: Wholesale Sands --- previously Beejays Investments		EA number: EPPR00690613	
Description of business activity/ERAs and EA's/BUA's: Lot 1 Plan RP193686 and Lot 2 Plan SP102616 DA: SPCE01179810 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material. DA: IPCE00615207 – ERA 16 3 (a) screening, in a year, 5000t to 100 000t of material BUA: ENBU01192410 – concrete washout to treat ASS BUA: ENBU01383110 – accepting drilling waters to obtain sand Lot 1 Plan RP186126, Lot 1 Plan SP102616, Lot 6 Plan RP6848 DA: IPDE00383806B11 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material and ERA 16 3 (b) screening, in a year, 100 000t to 1 000 000t of material BUA: ENBU02025510 – accepting concrete washout materials to treat ASS		File number: BST885 v 7	
Street address: 961 Pimpama Jacobs Well Road, Jacobs Well			
Site representative/s: Bevan Laming	Position/s: Owner/operator	Contact telephone: 5546 1454 <div style="border: 1px solid black; padding: 2px;">sch4 - Personal inf</div>	
Department's representatives: Megan Davis, Angie Hollister			
Registered business address: Waragap Holdings Pty Ltd Suite 1, 86 Mount Eliza Way , Mount Eliza VIC 3930			
Inspection level (check box): Level A ☒ Level B ☐ Level C ☐			

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

2. Pre-inspection considerations

Environmental risk	Low
Last inspection date	15 July 2013
General description of location and surrounding environment	<p>The site is located at Jacobs Well – a floodplain of the Logan/Albert River. The department has been verbally advised that the sand deposit is likely to have been washed down from the river and covered some time ago as it is not a saline sand.</p> <p>The area has naturally occurring high groundwater – which is why it is known as Jacobs Well – and it appears that this is naturally influenced by acid sulphate soils as the entire region has low pH ground waters with high aluminium and iron levels, particularly after rainfall.</p>
History of the activity	<p>Ongoing sand extraction and screening site. Potential issues with groundwater contamination due to high pH in pond waters (high groundwater level in this area). Ongoing issues with dust, sediment on the road, potential waste acceptance and breach of pond walls resulting in water entering neighbouring site (North End Industrial s78B(2)). Site is continuing to extract sand, screen it and sell it. Also holds BUA's to accept clean fill and drilling waters to deposit into pond. Long term aim to refill pond with clean fill. In some area's pond is 8m in depth.</p>
Outstanding issues and/or non-compliances/enforcement (e.g. environmental protection orders)	<p>Ongoing complaints from the local community regarding dust nuisance and sediment on the road from the properties entry driveways. Complaint received 15 July 2013 alleging drilling waters are coming off the site and bentonite contamination within stormwater drains and on-site extraction pond</p>
Industry specific hazards – consider personal safety	
Waste	Possible inert waste on site
Quarrying	Dust – from dumping clean fill onto the site to use as fill for the onsite lake. Large vehicles moving around the site and entering/exiting site.
Other	NA
Personal protective equipment (PPE) – consider whether any PPE is required	
Safety helmet	Yes ☐ No ☒
Hearing protection	Yes ☐ No ☒
Eye protection	Yes ☐ No ☒
Protective clothing	Yes ☒ No ☐
Protective footwear	Yes ☒ No ☐
Respiratory protection	Yes ☐ No ☒
Other	Yes ☒ No ☐ If yes, describe PPE: High Vis vest -
Arrange safety induction training with occupier of site before any	Yes ☐ No ☒

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

work is done	
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3. Observations

Location	Observation
Pimpama Jacobs Well Road, Entry 1	The amount of sediment on Pimpama-Jacobs Well Road has decreased since the last inspection. No water truck was observed but the volume of traffic was low and it had been raining prior to the inspection.
Pimpama Jacobs Well Road Entry 2	The amount of sediment on Pimpama-Jacobs Well Road has decreased since the last inspection a few weeks ago see Figure 2. Sediment remains on the concreted entryway to the site however it is less than was observed during the last inspection see Figure 3 and 4.
Sediment is building within the stormwater drains on Pimpama-Jacobs Well Road.	There is sediment building up on the sides of the road see Figure 5. It did not look like a white chalky bentonite substance as the complainant advised rather a clay-coloured sediment.
Sediment is being tracked from the site onto the road from the entry/exit point on Behms Road.	See Figure 5 to 9.



Figure 1 –Pimpama-Jacobs Well Road Entry Point 1 (see map below)



Figure 2 – Pimpama-Jacobs Well Road Entry Point 2



Figure 3 – Sediment on Concreted Entry way at Pimpama-Jacobs Well Road Entry Point 2



Figure 4 – Entry Point 2 on Pimpama-Jacobs Well Entry/Exit



Figure 5 – Sediment on Pimpama-Jacobs Well roadside



Figure 6 – Sediment on roadside at Behms Road entry/exit



Figure 7 –Behms Road entry/exit



Figure 8 – Sediment building up on side of road

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

4. Inspection results summary

Overall Findings

General observation/s	Sediment observed on road from Waragap's operations at both Behms Road and Pimpama-Jacobs Well Road and is building within the roadside gutters.
Compliance level	☒ Environmental nuisance/minor non-compliance (breach of 440ZG of EP Act – minor water contamination) ☐ Actual or risk of material harm/repeat non-compliance ☐ Actual or risk of serious harm ☐ Compliant ☐ Fully compliant/best practice
Environmental risk	☐ (1) Very low ☒ (2) Low ☐ (3) Moderate ☐ (4) High ☐ (5) Very high

5. Natural justice

- ☒ The person has been provided with the opportunity to put their side of the story forward.

MD telephoned Bevan Laming on 16 July 2013. Bevan advised that he had inspected a quarry site earlier this week and was planning on implementing a wheel wash on each entry/exit points of the site starting with Pimpama-Jacobs Well Road entry/exit points. He advised that he will clean up the roadside by picking up the excess sediment and bringing back onto the site.

- ☒ List any information and/or defences provided.

Bevan said that he realised that the current measures were not adequate and he was installing the wheel wash as soon as possible (installed next week, operating the following week).

- ☒ The Department has considered the information or defences provided.

The department will inspect the site in two weeks time to observe the ESC measures (wheel wash).

- ☒ The decision-maker and environmental officer are free from bias or the perception of bias.

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

6. Ecotrack

Ecotrack case number	CA28720 – Level A, Reactive Follow Up	
Activity	Time (hours)	Comments
Planning	0.5	Reviewed file and recent complaints
Inspection	1	Observed entry points on the site for approximately 5 minutes each and took photographs
Reporting	3	
Total	3.5	

7. Recommendation

Enforcement measure	Date issued:	Type:	Next due date:
	Wait two weeks and re-inspect site. If offence is continuing issue 440ZG PIN.		
Next inspection date	30 July 2013		

8. Endorsement

The recommending officer and supervisor are required to sign and date below.

Recommending Officer		Supervisory Review	
Signature:	sch4 - Personal information	Signature:	
Print Name: Megan Davis		Print Name: Angie Hollister	
Position: Senior Environmental Officer		Position: Principal Environmental Officer	
Date: 16 July 2013		Date:	

Map of Site and Observations during Inspection



Davis Megan

From: Manahan Shane
Sent: Thursday, 25 July 2013 9:41 AM
To: Davis Megan
Subject: RE: Cr Gates JJRichards

Good morning Megan,

I am currently working on the profile and intel report and at this stage am on track to have it completed by your original intel support requirement date of 1st August.

Thank you for passing on this information and will be in touch if I need anything else.

Regards,

Shane Manahan
Intelligence Analyst
Strategic Compliance
Energy Resources and Enforcement Branch
Ph: (07) 3330 5532 Fax: (07) 3330 5634

Department of Environment and Heritage Protection (EHP)
Level 7, 400 George Street, Brisbane QLD 4001
GPO Box 2454, Brisbane QLD 4001

From: Davis Megan
Sent: Thursday, 25 July 2013 9:36 AM
To: Manahan Shane
Cc: Williams Eloise
Subject: FW: Cr Gates JJRichards
Importance: High

Good Morning Shane,

Just wanted to touch base and see where things are at with my request for intelligence support regarding alleged receipt of waste by Waragap Pty Ltd at 961 Pimpama-Jacobs Well Road?

I received the below complaint forwarded from council this morning. I've left a message with JJ Richards requesting further detail about what was deposited by this particular truck. I provided the following advice to Council as well.

Good Morning Sarah,

The department has received a number of complaints alleging unauthorised waste acceptance by Waragap Pty Ltd at 961 Jacobs Well Road, Jacobs Well. The site currently holds Environmental Approvals to:

- dredge, in a year, 100 000 tonne to 1 000 000 tonne of material;
- screen, in a year, 5000 tonne to 100 000 tonne of material;
- accept concrete washout to treat acid sulphate soils and to neutralise acidic pond water; and
- accept drilling waters as a resource to acquire the sand and gravel.

In response to the complaints, the department has undertaken a number of site inspections in the past two months and has observed only clean fill and drilling waters being accepted on the site in accordance with departmental approvals. The department's intelligence team is currently undertaking an investigation in relation to the alleged receipt of waste at the site.

Davis Megan

From: Davis Megan
Sent: Thursday, 25 July 2013 9:36 AM
To: Manahan Shane
Cc: Williams Eloise
Subject: FW: Cr Gates JJRichards

Importance: High

Good Morning Shane,

Just wanted to touch base and see where things are at with my request for intelligence support regarding alleged receipt of waste by Waragap Pty Ltd at 961 Pimpama-Jacobs Well Road?

I received the below complaint forwarded from council this morning. I've left a message with JJ Richards requesting further detail about what was deposited by this particular truck. I provided the following advice to Council as well.

Good Morning Sarah,

The department has received a number of complaints alleging unauthorised waste acceptance by Waragap Pty Ltd at 961 Jacobs Well Road, Jacobs Well. The site currently holds Environmental Approvals to:

- dredge, in a year, 100 000 tonne to 1 000 000 tonne of material;
- screen, in a year, 5000 tonne to 100 000 tonne of material;
- accept concrete washout to treat acid sulphate soils and to neutralise acidic pond water; and
- accept drilling waters as a resource to acquire the sand and gravel.

In response to the complaints, the department has undertaken a number of site inspections in the past two months and has observed only clean fill and drilling waters being accepted on the site in accordance with departmental approvals. The department's intelligence team is currently undertaking an investigation in relation to the alleged receipt of waste at the site.

The department has also provided advice that accepting untreated acid sulphate soils to treat on the site with the concrete washout material does not constitute an Environmentally Relevant Activity, however, the operator needs to comply with a number of departmental policies and its current management plan to treat acid sulphate soils.

I have left a message with JJ Richard's Environment and Compliance Advisor in relation to the complaint below and requested further detail of what was deposited by that particular truck. Once I receive more information I can provide you with an update as to whether the material can be accepted by the site in accordance with departmental approvals.

Please don't hesitate to contact me should you require any further detail.

Regards,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au

From: ORMESHER Sarah [mailto:SORMESHER@goldcoast.qld.gov.au]
Sent: Thursday, 25 July 2013 8:39 AM
To: Davis Megan; Hollister Angie
Subject: FW: Cr Gates JJRichards
Importance: High

Hi Guys,

Are you able to help / comment with this, just because a truck goes in to the site doesnt prove anything. Have you looked into such complaints? i would imagine you would get similar today.

Thank you

Sincerely,

Sarah Ormesher
Senior Development Compliance Officer (Planning)
City Development
City of Gold Coast

T: 5582 8184
PO Box 5042 Gold Coast Mail Centre Qld 9729
cityofgoldcoast.com.au

CITY OF
GOLD COAST.

From: Division1
Sent: Thursday, 25 July 2013 8:36
To: ORMESHER Sarah
Cc: BENNETT Jan-Maree
Subject: Cr Gates JJRichards
Importance: High

Morning Sarah

Sorry to do this. As part of ongoing investigations with 961 Pimpama Jacobs Well Road, (CR225330, 225383 and continued now on new CR226267), can you please check this query out that Cr Gates has raised below. Cr Gates needs some urgent advice to respond to the resident at Jacobs Well tonight.

ta
cath

Catherine Mills / Councillor PA Relief Officer
Cr Donna Gates
Councillor Division 1 & Deputy Mayor
City of Gold Coast

T: 07 5581 6301 **F:** 07 5581 6801 **Mobile:** [sch4 - Personal inform]
E: division1@goldcoast.qld.gov.au

PO Box 5042 Gold Coast Mail Centre Qld 9729
Divisional Office: *Upper Coomera Centre, 90 Reserve Rd Upper Coomera *As of Mon 20 May 2013
cityofgoldcoast.com.au

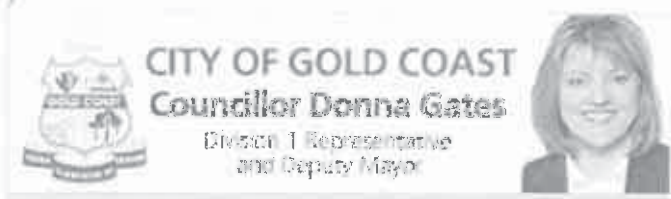
From: GATES Donna
Sent: Wednesday, 24 July 2013 2:19 PM
To: Division1
Subject: FW: JJRichards

Can you please pass on that a JJ Richards vehicle registered [s78B(2) - Pers] and carrying signage that indicated "all liquid wastes", deposited at 961 Pimpama Jacobs Well Road on Friday 19 July at 9.20am. Residents are of the belief that the facility is not licensed to accept such waste and I would value clarification of this prior to tomorrow night's Progress meeting.

Donna Gates
Councillor Division 1 & Deputy Mayor

Tel: (07) 5581 6301 **Fax:** (07) 5582 8355 **Mob:** [sch4 - Personal info]

Gold Coast City Council
PO Box 5042 Gold Coast Mail Centre QLD 9729
dgates@goldcoast.qld.gov.au



From: [sch4 - Personal information]
Sent: Friday, 19 July 2013 17:59
To: GATES Donna
Subject: JJRichards

Hi Donna, this is the information of the double tanker owed by JJ Richards which was in front of me on the Jacobs Well Pimpama Road at 9.20am today, Friday 19th July. The registration plate number was [s78B(2) - P]. When it turned left to go to Pimpama and I turned right towards Beenleigh I read the signage on the side of the truck which read JJ Richards with a smaller signage All Liquid Wastes. [s78B(2) - Personal informa]

July is Active & Healthy month with hundreds of free or low cost activities and events on offer to help you improve your fitness and overall health. Check out what's happening in July at gcparks.com.au

Council of the City of Gold Coast / Gold Coast City Council - confidential communication

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Running Sheet Summary

Date Completed:

Source Ref: CR57889

Action Source Ref:

Date Commenced: 11/JUN/13

First Action: N

Officer Involved: QUINTAL, Claire

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Email Sent

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: Email sent to complainants to provide update on investigation into Jacobs Well sites. Email included update on sediment on the road, alleged illegal waste receipt and impacts to groundwater.

Time Spent Hours: 1

Time Spent Minutes:

Outcome: Action Required - further investigation

Outcome Description:

Due Date:

Date Completed:

Source Ref: CR57889

sch3(10)(1)(b) Confidential source of information

complaint

Action Source Ref:

Date Commenced: 24/JUL/13

First Action: N

Officer Involved: DAVIS, Megan

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Telephone Call

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: Received telephone call re large volume of sediment on road

Time Spent Hours:

Time Spent Minutes: 30

Outcome: Action Required - progressing towards compliance

Outcome Description: Provided verbal update - operator is installing wheel wash in the next week. Department will inspect after installation.

Due Date:

Date Completed:

From: Davis Megan
Sent: Monday, 22 July 2013 10:05 AM
To: sch3(10)(1)(b) [REDACTED]
Cc: Hollister Angie
Subject: RE: sand mining dump

Good Morning [REDACTED]

Just wanted to touch base and provide you with an update regarding this site as previously discussed. I undertook another inspection at this site last week and observed a large amount of sediment still within the gutters of the external roads (Behms Road and Pimpama-Jacobs Well Road). I contacted the site operator who agreed to clean this sediment out of the stormwater gutters and use it back on the site. The operator has also agreed to install a number of wheel washes on the site to reduce the amount of sediment being tracked onto the Pimpama-Jacobs Well Road.

The department is continuing to undertake regular compliance inspections of the site and liaise with the operator to ensure they are doing everything reasonable and practicable to prevent sediment leaving the site.

Should you have any questions please don't hesitate to contact me on 5583 2146.

Regards,

Megan Davis

Senior Environmental Officer (Gold Coast & Scenic Rim) Southern Region Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au

-----Original Message-----

From: sch3(10)(1)(b) Confidential source of information [REDACTED]
Sent: Monday, 8 July 2013 10:26 AM
To: Davis Megan
Subject: sand mining dump

Hello,

For some months now I have been sending you emails about the concerns of local residents about the waste dump at Jacobs Well and it appears that the operators of the sand pit are not taking you seriously as far as the warnings go! The condition of the roadway is not acceptable to the residents and in fairness to the local residents ,they have been very tolerant of the mud on the road! I was told by your department that washing the road was not an option and that the trucks should not be leaving the property without being washed as is the practice in quarries . The washing of the road is a useless operation as the sediment is then deposited on the sides of the road and this is now stopping the water from getting away when it is raining. I was driving along the pimpama-Jacobs Well Road on Friday night and a water truck was stopped on the road while watering the mud off the road,this is a dangerous practice and someone will eventually run into a truck that is stopped on a main road. The operators of the dump are ignoring all the warnings and this operation should be stopped immediately . This dump should never have been

approved right next to a residential area and this is another issue which needs to be questioned, who did give the approval to dump waste in a clean water table ?

sch3(10)(1)(b) C

RTI DL RELEASE - EHP

Davis Megan

CR 59512

From: Davis Megan
Sent: Monday, 22 July 2013 10:11 AM
To: sch3(10)(1)(b) Confidential source of information
Subject: Sediment on Pimpama-Jacobs Well Road

Good Morning sch3(10)(1)(b)

Just wanted to touch base and provide you with an update regarding this site as previously discussed. I undertook another inspection at this site last week and observed a large amount of sediment still within the gutters of the external roads (Behms Road and Pimpama-Jacobs Well Road). I contacted the site operator who agreed to clean this sediment out of the stormwater gutters and use it back on the site. The operator has also agreed to install a number of wheel washes on the site to reduce the amount of sediment being tracked onto the Pimpama-Jacobs Well Road.

The department is continuing to undertake regular compliance inspections of the site and liaise with the operator to ensure they are doing everything reasonable and practicable to prevent sediment leaving the site.

Should you have any questions please don't hesitate to contact me on 5583 2146.

Regards,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



Queensland
Government

Davis Megan

CR 59512.

From: Fenech Aaron
Sent: Monday, 15 July 2013 2:56 PM
To: Hollister Angie; Davis Megan
Cc: Glosko Brett
Subject: FW: TRACKS-#40790472-v1-HEALTH_COMPLAINT_-_WATER_POLLUTION_-_CIS_37438.DOC
Attachments: TRACKS-#40790472-v1-HEALTH_COMPLAINT_-_WATER_POLLUTION_-_CIS_37438.DOC

Just received.

As discussed may be the site you just visited.

Regards,

Aaron Fenech

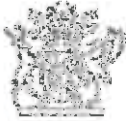
Principal Environmental Officer
Environmental Services & Regulation - Southern Region
Department of Environment and Heritage Protection

T (07) 5583 2133 F (07) 5583 2136

E aaron.fenech@ehp.qld.gov.au

PO Box 4244, Robina Town Centre, ROBINA 4230
Level 1, 14 Edgewater Crt

Visit us online at www.ehp.qld.gov.au



Queensland
Government

From: ALEXANDER Denise [<mailto:DALEXANDER@goldcoast.qld.gov.au>]

Sent: Monday, 15 July 2013 2:55 PM

To: Fenech Aaron

Subject: TRACKS-#40790472-v1-HEALTH_COMPLAINT_-_WATER_POLLUTION_-_CIS_37438.DOC

Hi Aaron

complaint attached - the Senior EHO for our Northern region has advised that if the clay is from a DEHP approved site your agency would deal with it.

Denise Alexander

Administration Officer
Health Regulatory & Lifeguard Services Branch
City of Gold Coast

T: 5581 6220 F: 5581 6219

PO Box 5042 Gold Coast Mail Centre Qld 9729

cityofgoldcoast.com.au



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RTI/DL RELEASE - ETHEL



Running Sheet Summary

Complaint/Report Ref: CR59512

Complainant						
Ref	Name	Address	Phone	Mobile	Fax	Email
sch3(10)(1)(b) Confidential source of information						

Alleged Source						
Ref	Name	Address	Phone	Mobile	Fax	Email
402014	Waragap Holdings Pty Ltd	1754 Jacobs Well Road JACOBS WELL QLD 4208	07 5546 1454	sch4 - Person	07 5546 1644	

Incident Location		
Name	Risk Level	Address
Behms Road JACOBS WELL		Behms Road JACOBS WELL QLD 4208

Source Ref: CR59512

Action Source Ref:

Date Commenced: 15/JUL/13 First Action: N

Officer Involved: DAVIS, Megan

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Telephone Call

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: Called complainant to get additional details regarding complaint - said s78B(2) - Substantial harm concerned about groundwater contamination. Advised that a BUA for drilling waters is held by the operator as well as extractive and screening approval.

Time Spent Hours: 2

Time Spent Minutes:

Outcome: Action Required - further investigation

Outcome Description: advised that the department is currently considering enforcement action regarding sediment being deposited onto the roadway. Currently investigating regarding alleged waste dumping into extraction ponds.

Due Date:

Date Completed:

Source Ref: CR59512

Action Source Ref:

Date Commenced: 15/JUL/13 First Action: Y

Officer Involved: DAVIS, Megan

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Email Received

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: received email from GCCC regarding details of complainant

Time Spent Hours:

Time Spent Minutes: 15



Running Sheet Summary

Outcome: Action Required - further investigation

Outcome Description:

Due Date:

Date Completed:

RTI/DL RELEASE - EHP

Health Services Complaint Information System

CR 59512

Complaint Reference No: 37438
Received By Anna Nichols
Complaint Date 15/07/2013
Complaint Time 14:18
Complainant Name sch3(10)(1)(b) Confidential source of informat na
Complainant Address na na
Complainant Phone na
Complaint Type sch3(10)(1)(b) Confidential source email:
Complaint Category Water Pollution
Complaint Source Release of Contaminants
Number of Previous Complaints: 1
Complaint History Residential

sch3(10)(1)(b) Confidential source of information

complaint came through Local Law in the customer contact centre. the complainant states that the property is dumping a substance called Bentonite which is a white clay that is used as lubricant to drill underground. He says that it is entering the waterway and that it is all over the road. The complainant also mentions that the road is very slippery and dangerous to drive on. Home number for complainant

sch3(10)(1)(b) Conf

Early in the morning, this morning. Builds up over weekends. Familiar with drilling industry.

7

Standard Of Service Site Visit & PIN or Direction Notice ****PLEASE PHONE AREA EHO
Occupant / Owner Name Bevan Lemming
Source of Complaint approx 959
Pimpama Jacobs Well Road JACOBS WELL
Fi' Reference CE31/-/-
CR Number
Referred To Omar Demirovic JACOBS WELL 2466
Action Taken Alarm Unjustified Referred to Other Agency

Action Taken Detail

Wavagap Holdings Pty Ltd
Locations: Behms Road, Jacobs Well

Date Completed
No Of Site Visits
Officer

Contact us

Complaint

If you have a complaint about an action or decision made by the department, we would welcome the opportunity to assist you and resolve your complaint promptly and effectively in the first instance.

We will treat complainants with courtesy and respect. However, to meet our duty of care obligations to our staff, the department will not accept any complaints that are abusive, harassing or threatening. If an online complaint is submitted containing offensive language it will not be delivered.

To lodge a complaint using this web form, you will be required to provide your contact details. If you wish to lodge an anonymous complaint, please call 132380² 8am–5pm EST Monday to Friday (not including public holidays).

Further action

If, after contacting us, you are not satisfied with the outcome of your complaint, you may contact the Queensland Ombudsman(<http://www.ombudsman.qld.gov.au/>).

The Queensland Ombudsman is an independent organisation that investigates complaints about the actions and decisions of Queensland's state and local government agencies.

²Local call - higher rates may apply from mobile phones and payphones. International callers phone +61 7 3834 2011.

* indicates required fields

Have you raised this issue with the department before? *

- ☐ Yes
☐ No

Please provide details of your complaint : *

Forwarding complaints from various residents within Jacobs Well about two sites operating as North End Industrial Solutions on Behms Road and Queensland Sand and Soil on Behms Road and also on Pimpama-Jacobs Well Road. These sites have a large volume of traffic entering and exiting and are tracking sediment onto the road. The sediment produces dust which is creating visibility and safety issues. Complainants are also advising that a water truck is being used to wash down the road which is also creating safety issues. As a Senior Environmental Officer within the Department of Environment and Heritage Protection I am investigating the sediment being deposited into roadside gutters as a breach of the Environmental Protection Act but wanted to forward the traffic and safety concerns to the Department of Transport. Feel free to contact me should you require further detail regarding the complainants.

What would you like to happen to resolve your complaint? *

Investigate the complaint and determine whether an offence has occurred under your jurisdiction.

Contact details

Preferred method of contact: *

By email

Title:

Mrs

First name: *

Megan

Surname: *

Davis

Address line 1:

Address line 2:

Suburb:

Postcode:

State:

Queensland

Contact number:

0755832146

Numbers only with no spaces including area code

Email address: *

megan.davis@ehp.qld.gov.au
username@domain.org.au

Retype email address: *

megan.davis@ehp.qld.gov.au
username@domain.org.au

What best describes you in relation to this enquiry? *

Organisation

Organisation name: *

DEHP

« Back

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Submit »

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Great state. Great opportunity.

Davis Megan

From: Manahan Shane
Sent: Wednesday, 10 July 2013 1:30 PM
To: Davis Megan
Subject: RE: Request for Intelligence Support - Waragap Pty Ltd

That's great Megan, thanks.

Will keep you posted on my progress and will ring you when I know more about surveillance options.

Regards,

Shane Manahan
Intelligence Analyst
Strategic Compliance
Energy Resources and Enforcement Branch
Ph: (07) 3330 5532 Fax: (07) 3330 5634

Department of Environment and Heritage Protection (EHP)
Level 7, 400 George Street, Brisbane QLD 4001
GPO Box 2454, Brisbane QLD 4001

From: Davis Megan
Sent: Wednesday, 10 July 2013 1:13 PM
To: Manahan Shane
Cc: Williams Eloise; Hollister Angie
Subject: RE: Request for Intelligence Support - Waragap Pty Ltd

Thanks Shane,

This issue has been ongoing for some time so end of this week or even next week is fine to start.

What you are proposing sounds great. Perhaps, depending on what you find we can discuss further in relation to the surveillance?

I believe most of the information is held on the Gold Coast drive but I've copied across to T Drive:
T:_Southern\SER\Waragap Pty Ltd

Hopefully you have access?

Regards,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



From: Manahan Shane
Sent: Wednesday, 10 July 2013 12:18 PM
To: Davis Megan
Cc: Williams Eloise
Subject: RE: Request for Intelligence Support - Waragap Pty Ltd

Hi Megan,

Sorry I haven't been in touch with you earlier, have been out of the office myself.

Eloise and I are currently working on another job in relation to [REDACTED] however I will get started on yours tomorrow. It will probably take me till at least the end of next week if no other urgent jobs come in.

I will do up an intel report and profile for you as well as the analysis of waste tracking documents and will explore the available options in relation to the possibility of surveillance at the site. Will this be sufficient for your requirements?

Are you able to advise where information about the Waragap site is held – on the Gold Coast fileserver or Keeper or both?

Am happy to discuss further and if there is something extra that you require please email or call.

Regards,

Shane Manahan
Intelligence Analyst
Strategic Compliance
Energy Resources and Enforcement Branch
Ph: (07) 3330 5532 Fax: (07) 3330 5634

Department of Environment and Heritage Protection (EHP)
Level 7, 400 George Street, Brisbane QLD 4001
GPO Box 2454, Brisbane QLD 4001

From: Davis Megan
Sent: Wednesday, 10 July 2013 11:05 AM
To: Intelligence
Cc: Williams Eloise
Subject: RE: Request for Intelligence Support - Waragap Pty Ltd

Hi,

[REDACTED] just wanted to check up on this one?

Cheers,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



**Queensland
Government**

From: Manahan Shane **On Behalf Of** Intelligence
Sent: Tuesday, 2 July 2013 11:41 AM
To: Davis Megan
Cc: Williams Eloise
Subject: RE: Request for Intelligence Support - Waragap Pty Ltd

Hi Megan,

Thank you for your request for intelligence support.

We will be in touch shortly to discuss your request and timeframes etc.

Regards,

Shane Manahan
Intelligence Analyst
Strategic Compliance
Energy Resources and Enforcement Branch
Ph: (07) 3330 5532 Fax: (07) 3330 5634

Department of Environment and Heritage Protection (EHP)
Level 7, 400 George Street, Brisbane QLD 4001
GPO Box 2454, Brisbane QLD 4001

From: Davis Megan
Sent: Monday, 1 July 2013 4:26 PM
To: Intelligence
Subject: FW: Request for Intelligence Support - Waragap Pty Ltd

Hi,

Please find attached Request for Intelligence Support for Waragap Pty Ltd regarding alleged waste receipt.

Please don't hesitate to contact me on 5583 2146 should you have any queries.

Regards,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



**Queensland
Government**

From: Glosko Brett
Sent: Monday, 1 July 2013 4:24 PM
To: Davis Megan
Cc: Hollister Angie
Subject: RE: Request for Intelligence Support - Waragap Pty Ltd

Supported.

Brett Glosko
Manager (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832140 Fax: 07 55832136
E-mail: brett.glosko@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



From: Davis Megan
Sent: Monday, 1 July 2013 4:13 PM
To: Glosko Brett
Cc: Hollister Angie
Subject: Request for Intelligence Support - Waragap Pty Ltd
Importance: High

Hi Brett,

Please see attached – Request for Intelligence Support for Waragap Pty Ltd (Bevan's site).

If you approve please let me know and I will forward to the intelligence team - intel@ehp.qld.gov.au

Cheers,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



Davis Megan

From: Glosko Brett
Sent: Monday, 1 July 2013 4:24 PM
To: Davis Megan
Cc: Hollister Angie
Subject: RE: Request for Intelligence Support - Waragap Pty Ltd

Follow Up Flag: Follow up
Flag Status: Completed

Supported.

Brett Glosko
Manager (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832140 Fax: 07 55832136
E-mail: brett.glosko@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



**Queensland
Government**

From: Davis Megan
Sent: Monday, 1 July 2013 4:13 PM
To: Glosko Brett
Cc: Hollister Angie
Subject: Request for Intelligence Support - Waragap Pty Ltd
Importance: High

Hi Brett,

Please see attached – Request for Intelligence Support for Waragap Pty Ltd (Bevan's site).

If you approve please let me know and I will forward to the intelligence team - intel@ehp.qld.gov.au

Cheers,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



RTI/DL RELEASE - EHP

Davis Megan

CA 58625

From: Davis Megan
Sent: Monday, 8 July 2013 11:56 AM
To: [sch3(10)(1)(b) Confil]
Cc: Hollister Angie
Subject: RE: sand mining dump

Hi [sch3(10)(1)(b)]

Thanks for your email.

The Department of Environment and Heritage Protection (the department) is investigating this site and issued a formal warning to the operator last week. Depositing sediment onto a public road is not acceptable and it is likely that further enforcement action will be taken if the operator continues to do so.

In relation to the alleged dumping of waste within the extraction pond on the site - further investigation is occurring into this. The department closely monitors the water monitoring results from the site which have largely been within the acceptable range of parameters that are on the environmental approval however, an additional investigation is being undertaken regarding alleged waste being dumped into the extraction pond within the site.

The safety issue of the water truck on the public road has been raised with the operator but it is not within the jurisdiction of the department, therefore the matter will be forwarded to the Department of Transport and Main Roads.

I will provide you with a further update later this week.

Regards,

Megan Davis

Senior Environmental Officer (Gold Coast & Scenic Rim) Southern Region Environmental Services and Regulation
Department of Environment and Heritage Protection

Tel: 07 55832146 Fax: 07 55832136

E-mail: megan.davis@ehp.qld.gov.au

/visit us online at www.ehp.qld.gov.au

-----Original Message-----

From: [sch3(10)(1)(b) Confidential source of information]

Sent: Monday, 8 July 2013 10:26 AM

To: Davis Megan

Subject: sand mining dump

Hello,

For some months now I have been sending you emails about the concerns of local residents about the waste dump at Jacobs Well and it appears that the operators of the sand pit are not taking you seriously as far as the warnings go! The condition of the roadway is not acceptable to the residents and in fairness to the local residents, they have been very tolerant of the mud on the road! I was told by your department that washing the road was not an option and that the trucks should not be leaving the property without being washed as is the practice in quarries

. The washing of the road is a useless operation as the sediment is then deposited on the sides of the road and this is now stopping the water from getting away when it is raining. I was driving along the pimpama-Jacobs Well Road on Friday night and a water truck was stopped on the road while watering the mud off the road, this is a dangerous practice and someone will eventually run into a truck that is stopped on a main road. The operators of the dump are ignoring all the warnings and this operation should be stopped immediately . This dump should never have been approved right next to a residential area and this is another issue which needs to be questioned, who did give the approval to dump waste in a clean water table ?

sch3(10)(1)(b) Confidential source

Enquiries: Megan Davis
Telephone: (07) 5583 2146
Our reference: 241591 / BST 885 v 7



27 June 2013

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well QLD 4208

RECEIVED / REGISTERED Dept of Environment and Heritage Protection Gold Coast		Department of Environment and Heritage Protection
27 JUN 2013		
File #:	20R113337	
Item #:	217 6390	

Dear Mr Laming,

RE: Warning Letter – Sediment on public road and roadside gutters

I refer to the warning letter issued to you with respect to the release of prescribed water contaminants (sediment) from the site described at Lot 1 Plan RP186126, Lot 1 Plan SP102616 and Lot 6 Plan RP6848 situated at Behms Road, Jacobs Well (the site).

Departmental officers inspected the site on 20 June 2013 after receiving additional complaints that sediment was being deposited on public roads and roadside gutters from the site. Whilst it is acknowledged that Waragap Holdings Pty Ltd has implemented mitigation measures including cementing entry/exit points, installing shaker grids and lining internal roads with rock, sediment continues to be deposited from the site onto the external roads including Pimpama-Jacobs Well Road and Behms Road.

You are advised that the measures you have implemented must be maintained to be effective and/or additional mitigation measures must be installed to ensure that sediment does not leave the site.

Departmental officers will inspect the site in the coming weeks. If improvements are not observed, further enforcement action may be taken such as a Penalty Infringement Notice (PIN) for breach of Section 440ZG of the *Environmental Protection Act 1994* (\$1100 to \$2200 fine).

If you wish to discuss this matter further please contact Megan Davis, Senior Environmental Officer, on telephone 5583 2146.

Yours sincerely

sch4 - Personal information

Brett Glosko
Manager (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection

Level 1 APVC Building
14 Edgewater Court Robina
PO Box 4244
Robina Town Centre
Queensland 4230 Australia
Telephone + 61 7 5583 2137
Facsimile + 61 7 5583 2136
Website www.chp.qld.gov.au
ABN 46 640 294 485

27 JUN 2013

File #: 502113337
Item #: 2176392

Inspections Toolkit

Environmental Protection Act 1994

(Level A, B and C) Checklist, On-Site Record & Inspection Report

1. General information

Company name: Waragap Pty Ltd 241591		Date of inspection: 20 June 13	Time: 11.30am
Trading as: Wholesale Sands – previously Beejays Investments		EA/DA number: EPPR00690613	
Description of business activity/ERAs and EA's/BUA's: Lot 1 Plan RP193686 and Lot 2 Plan SP102616 DA: SPCE01179810 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material. DA: IPCE00615207 – ERA 16 3 (a) screening, in a year, 5000t to 100 000t of material BUA: ENBU01192410 – concrete washout to treat ASS BUA: ENBU01383110 – accepting drilling waters to obtain sand Lot 1 Plan RP186126, Lot 1 Plan SP102616, Lot 6 Plan RP6848 DA: IPDE00383806B11 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material and ERA 16 3 (b) screening, in a year, 100 000t to 1 000 000t of material BUA: ENBU02025510 – accepting concrete washout materials to treat ASS		File number: BST885 v 7	
Street address: 961 Pimpama Jacobs Well Road, Jacobs Well			
Site representative/s: Bevan Laming	Position/s: Owner/operator	Contact telephone: 5546 1454 sch4 - Personal info	
Department's representatives: Megan Davis, Claire Spicer-Bell			
Registered business address: Waragap Holdings Pty Ltd Suite 1, 86 Mount Eliza Way , Mount Eliza VIC 3930			
Inspection level (check box): Level A ☐ Level B ☒ Level C ☐			

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

2. Pre-inspection considerations

Environmental risk	Low
Last inspection date	6 July 2012
General description of location and surrounding environment	<p>The site is located at Jacobs Well – a floodplain of the Logan/Albert River. The department has been verbally advised that the sand deposit is likely to have been washed down from the river and covered some time ago as it is not a saline sand.</p> <p>The area has naturally occurring high groundwater – which is why it is known as Jacobs Well – and it appears that this is naturally influenced by acid sulphate soils as the entire region has low pH ground waters with high aluminium and iron levels, particularly after rainfall.</p>
History of the activity	<p>Ongoing sand extraction and screening site. Potential issues with groundwater contamination due to high pH in pond waters (high groundwater level in this area). Ongoing issues with dust, sediment on the road, potential waste acceptance and breach of pond walls resulting in water entering neighbouring site (North End Industrial s78B(2) Site is continuing to extract sand, screen it and sell it. Also holds BUA's to accept clean fill and drilling waters to deposit into pond. Long term aim to refill pond with clean fill. In some area's pond is 8m in depth.</p>
Outstanding issues and/or non-compliances/enforcement (e.g. environmental protection orders)	Ongoing complaints from the local community regarding dust nuisance and sediment on the road from the properties entry driveways.
Industry specific hazards – consider personal safety	
Waste	Possible inert waste on site
Quarrying	Dust – from dumping clean fill onto the site to use as fill for the onsite lake. Large vehicles moving around the site.
Other	NA
Personal protective equipment (PPE) – consider whether any PPE is required	
Safety helmet	Yes ☐ No ☒
Hearing protection	Yes ☐ No ☒
Eye protection	Yes ☐ No ☒
Protective clothing	Yes ☒ No ☐
Protective footwear	Yes ☒ No ☐
Respiratory protection	Yes ☐ No ☒
Other	Yes ☒ No ☐ If yes, describe PPE: High Vis vest -
Arrange safety induction training with occupier of site before any work is done	Yes ☐ No ☒

Inspections Toolkit

3. Observations

Sediment is being washed from the site onto the road from the entry/exit point on on Pimpama-Jacobs Well Road.	See Figures 1 to 2.
Sediment is building within the stormwater drains on Pimpama-Jacobs Well Road.	See Figure 3 to 4.
Entry/exit areas are not being maintained (swept or washed)	See Figure 5 (Pimpama-Jacobs Well side) and Figure 6
Sediment is being tracked from the site onto the road from the entry/exit point on Behms Road.	See Figure 7.



Figure 1 – Sediment being washed onto Pimpama-Jacobs Well Road Entry Point 2 (see map below)



Figure 2 – Sediment being washed onto Pimpama-Jacobs Well Road Entry Point 2



Figure 3 – Sediment on Road at Pimpama-Jacobs Well Road Entry Point 2



Figure 4 – Sediment on Road at Pimpama-Jacobs Well Road Entry Point 2 (see map below)



Figure 5 –Entry Point 1 along Pimpama-Jacobs Well Road not being maintained



Figure 6 – Entry/exit Point along Behms Road not being maintained



Figure 7 –Sediment on road on Behms Road from the site

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

4. Inspection results summary

Overall Findings

General observation/s	Sediment observed on road from Waragap's operations at both Behms Road and Pimpama-Jacobs Well Road. Verbally warned operator that EHP will take enforcement action if improvement is not seen immediately. Whilst the infrastructure has been installed it is not being maintained – advised that sediment should not be leaving the site at all. Operator advised that he had just purchased a sweeper and will train the water truck driver in wetting down internal roads instead of external roads. Will follow up with final warning letter and another inspection in a few weeks.
Compliance level	☒ Environmental nuisance/minor non-compliance ☐ Actual or risk of material harm/repeat non-compliance ☐ Actual or risk of serious harm ☐ Compliant ☐ Fully compliant/best practice
Environmental risk	☐ (1) Very low ☒ (2) Low ☐ (3) Moderate ☐ (4) High ☐ (5) Very high

5. Natural justice

- ☒ The person has been provided with the opportunity to put their side of the story forward.

Discussed whilst on site with Bevan Laming, site operator. He advised that it was the operator of the wheel wash that wasn't listening and he would terminate him and employ someone else who would listen.

- ☒ List any information and/or defences provided.

Bevan advised that he had been using the water truck twice a day but it was very busy at the moment – high traffic of trucks entering and exiting the property. He had bought a sweeper that day and was planning to use it as soon as possible.

- ☒ The Department has considered the information or defences provided.

MD advised that the department acknowledges that Bevan has undertaken actions to prevent the sediment from leaving the site however the shaker grid and concrete driveway still needed to be maintained to ensure they worked effectively. The sediment can not leave the site – the water truck needs to be used on the

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

internal roads, not the external road (bitumen). Also advised that an inspection would be undertaken in the coming weeks to determine whether the site was compliant and if not a fine would likely to be issued.

☒ The decision-maker and environmental officer are free from bias or the perception of bias.

6. Ecotrack

Ecotrack case number	CA28238 – Level B, Reactive Initial
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Activity	Time (hours)	Comments
Planning	0.5	Reviewed file and recent complaints
Inspection	1	Observed entry points on the site for approximately 5 minutes each and took photographs
Reporting	2	
Total	3.5	

7. Recommendation

Enforcement measure	Date issued:	Type:	Next due date:
Verbally Warning	Verbally warned operator whilst on site and explained the maintenance issue and not allowing sediment to leave the site. Advised that additional mitigation measures like a wheel wash may be required if improvements are not observed. Also advised that officers from the department would be inspecting the property in the following weeks and if the sediment had not been cleaned up, further enforcement action such as a PIN would likely to be taken. Will send formal final warning letter.		
Next inspection date	First week of July 2013.		

8. Endorsement

The recommending officer and supervisor are required to sign and date below.

Recommending Officer		Supervisory Review	
Signature:	sch4 - Personal information	Signature:	sch4 - Personal information
Print Name: Megan Davis		Print Name: Angie Hollister	
Position: Senior Environmental Officer		Position: Principal Environmental Officer	
Date: 13 June 2013		Date: 26/6/2013	

Map of Site and Observations during Inspection



Davis Megan

CR58625

To: sch3(10)(1)
Cc: Hollister Angie
Subject: RE: Pimpama-Jacobs well road

Hi sch3(10)(

Just to give you an update - I inspected the site last Thursday and got the operator to meet me there so I could point out the issues in question. Whilst controls are in place (water truck, shaker grid, cemented driveway) they are not being maintained which is creating the issue of the sediment being tracked out onto Pimpama-Jacobs Well Road. The operator now understand this issue and has instructed his employees to undertake regular maintenance to ensure the sediment isn't being tracked out. I will inspect in another week or two to determine if improvement have been achieved. If not, further enforcement action will be undertaken by the department.

Groundwater monitoring and water monitoring of the on-site ponds is being undertaken at the site which is provided to the department as part of licensing requirements. The department reviews these results regularly.

The department is currently investigating the alleged dumping of waste at this site.

To date, departmental officers have witnessed only clean fill being used to fill the dredging ponds on the site, which is permitted.

I hope this addresses your concerns, please don't hesitate to call me should you have any questions.

Regards,

Megan Davis

Senior Environmental Officer (Gold Coast & Scenic Rim) Southern Region Environmental Services and Regulation

Department of Environment and Heritage Protection

Tel: 07 55832146 Fax: 07 55832136

E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au

-----Original Message-----

From: sch3(10)(1)(b) Confidential source of information

Sent: Thursday, 20 June 2013 9:49 PM

To: Davis Megan

Subject: Re: Pimpama-Jacobs well road

Hello Megan,

The operators of the waste facility at Pimpama ,Jacobs Well Road seem to be ignoring the warnings from your Department as there has not been any change in the activities at the 2 addresses concerned! I drive along this road at least 2 times a day and the roadway outside is still having sediment dropped from almost every transport vehicle that enters the sand pits! The mud is dropped on the road by the trucks and as soon as it dries it turns into dust which is another problem especially that it is being stirred up by the westerly winds! The approvals for dumping should never have been approved as the waters in the sand mining pits was pristine and now they are being polluted with rubbish especially being right next door to a residential area! The residents of Jacobs Well have used the underground water to water their gardens but I am sure that the water table will eventually suffer the demise of the dumping in the sand pits!

The operators of this facility on Pimpama ,Jacobs Well Road are clearly breaking the law and have had more than enough time to put things in order,I do not believe for one minute that they intend to do anything more to stop the mess on the road! I am sure that if I was driving down a major road in Brisbane or any other city dropping mud on the road that I would be stopped immediately and put off the road and possibly given a fine !

There is no difference to the situation in Jacobs Well and it should not be allowed to continue this way! They should be shut down now as this has been going on for many months now! Ask the other residents of Jacobs Well how they feel about this dump in there back yard?

[sch3(10)(1)(b) Co]

On 12/06/2013, at 2:43 PM, Davis Megan wrote:

> Good Afternoon [sch3(10)(1)(b) Co]
>
> Thank you for your email this morning regarding sediment being tracked
> onto Pimpama-Jacobs Well Road.
>
> The department has received a number of complaints regarding sediment
> being tracked onto the road from this operator over the past couple of
> months, has sent a formal warning letter to the operator and undertook
> an inspection of the site last week. The operator has recently
> installed cattle grids and cemented the entrance to the property at
> both entry gates on Pimpama-Jacobs Well Road and also at the entrance
> to Behms Road. Due to a large volume of trucks entering and exiting
> the property it appears that the sediment is still making its way past
> these controls.
>
> I telephoned the operator this morning and warned him that he needs to
> clean the sediment off the road and prevent more from being tracked out.
> I will be undertaking an inspection of the site in the coming weeks to
> determine if the site is compliant with the direction that was issued.
> If not, further action will be taken by the department.
>
> Thank you again for your correspondence and I will keep you updated
> regarding the outcome.
>
> Regards,
>
> Megan Davis
> Senior Environmental Officer (Gold Coast & Scenic Rim) Southern Region
> Environmental Services and Regulation Department of Environment and
> Heritage Protection
> Tel: 07 55832146 Fax: 07 55832136
> E-mail: megan.davis@ehp.qld.gov.au
> -----
> Visit us online at www.ehp.qld.gov.au
>
>
> -----Original Message-----
> From: [sch3(10)(1)(b) Confidential source of information]
> Sent: Wednesday, 12 June 2013 10:52 AM
> To: Quintal Claire
> Subject: Pimpama-Jacobs well road

>
> Hello Claire,
> I took this picture of the mud on the road today!
> It appears that the owners of that property do not have any respect
> for the local residents and the warnings from your department. Maybe
> the gates need to be locked until they comply with the laws?

> sch3(10)(1)(b) Cor

>
>
> -----

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>
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Inspections Toolkit

Environmental Protection Act 1994

(Level A, B and C) Checklist, On-Site Record & Inspection Report

1. General information

Company name: Waragap Pty Ltd 241591	Date of inspection: 6 June 13	Time: 11.30am
Trading as: Wholesale Sands – previously Beejays Investments		EA/DA number: see below
Description of business activity/ERAs and EA's/BUA's: Lot 1 Plan RP193686 and Lot 2 Plan SP102616 DA: SPCE01179810 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material. DA: IPCE00615207 – ERA 16 3 (a) screening, in a year, 5000t to 100 000t of material BUA: ENBU01192410 – concrete washout to treat ASS BUA: ENBU01383110 – accepting drilling waters to obtain sand Lot 1 Plan RP186126, Lot 1 Plan SP102616, Lot 6 Plan RP6848 DA: IPDE00383806B11 – ERA 16 1(c) dredging in a year more than 100 000t to 1 000 000t of material and ERA 16 3 (b) screening, in a year, 100 000t to 1 000 000t of material BUA: ENBU02025510 – accepting concrete washout materials to treat ASS		File number: BST885 v 7
Street address: 961 Pimpama Jacobs Well Road, Jacobs Well		
Site representative/s: Bevan Laming	Position/s: Owner/operator	Contact telephone: 5546 1454 <div style="border: 1px solid black; padding: 2px;">sch4 - Personal inform</div>
Department's representatives: Megan Davis, Claire Spicer-Bell		
Registered business address: Waragap Holdings Pty Ltd Suite 1, 86 Mount Eliza Way , Mount Eliza VIC 3930		
Inspection level (check box): Level A ☒ Level B ☐ Level C ☐		

2. Pre-inspection considerations

Environmental risk	Low
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inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

Last inspection date	6 July 2012
General description of location and surrounding environment	<p>The site is located at Jacobs Well – a floodplain of the Logan/Albert River. The department has been verbally advised that the sand deposit is likely to have been washed down from the river and covered some time ago as it is not a saline sand.</p> <p>The area has naturally occurring high groundwater – which is why it is known as Jacobs Well – and it appears that this is naturally influenced by acid sulphate soils as the entire region has low pH ground waters with high aluminium and iron levels, particularly after rainfall.</p>
History of the activity	<p>Ongoing sand extraction and screening site. Potential issues with groundwater contamination due to high pH in pond waters (high groundwater level in this area). Ongoing issues with dust, sediment on the road, potential waste acceptance and breach of pond walls resulting in water entering neighbouring site (North End Industrial s78B(2) Site is continuing to extract sand, screen it and sell it. Also holds BUA's to accept clean fill and drilling waters to deposit into pond. Long term aim to refill pond with clean fill. In some area's pond is 8m in depth.</p>
Outstanding issues and/or non-compliances/enforcement (e.g. environmental protection orders)	Ongoing complaints from the local community regarding dust nuisance and sediment on the road from the properties entry driveways.
Industry specific hazards – consider personal safety	
Waste	Possible inert waste on site
Quarrying	Dust – from dumping clean fill onto the site to use as fill for the onsite lake. Large vehicles moving around the site.
Other	NA
Personal protective equipment (PPE) – consider whether any PPE is required	
Safety helmet	Yes ☐ No ☒
Hearing protection	Yes ☐ No ☒
Eye protection	Yes ☐ No ☒
Protective clothing	Yes ☒ No ☐
Protective footwear	Yes ☒ No ☐
Respiratory protection	Yes ☐ No ☒
Other	Yes ☒ No ☐ If yes, describe PPE: High Vis vest -
Arrange safety induction training with occupier of site before any work is done	Yes ☐ No ☒

3. Observations

Sediment is being tracked from	See Figures 1 to 4.
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Inspections Toolkit

Sediment is being tracked from the site onto the road from the entry/exit point on Pimpama-Jacobs Well Road.	See Figures 1 to 4.
The operator has installed a shaker grid at the site entrance and cemented the entry way to the site.	See Figure 5 Whilst these works have been installed, there is a large amount of traffic currently entering and exiting the site (observed 5 truck and dogs within a space of 5 minutes) and it appears that they are not being maintained effectively. The environmental officers observed that the concrete entry way had a thick layer of dust/sediment on it which was being picked up by the vehicles exiting the site and tracked onto the bitumen of Pimpama-Jacobs Well road and Behms Road – see map below.
Sediment is being tracked from the site onto the road from the entry/exit point on Behms Road.	See Figures 5 to 8.



Figure 1 – Sediment on Road at Pimpama-Jacobs Well Road Entry Point 2 (see map below)



Figure 2 – Sediment on Road at Pimpama-Jacobs Well Road Entry Point 2 (see map below)



Figure 3 – Sediment on Road at Pimpama-Jacobs Well Road Entry Point 2 (see map below)



Figure 4 – Sediment on Road at Pimpama-Jacobs Well Road Entry Point 2 (see map below)



Figure 5 – Shaker Grid and Cemented Exit/Entry point at Pimpama-Jacobs Well Road Entry Point 2



Figure 6 – Behms Road Entry/Exit point



Figure 7 – Sediment covering concrete and bitumen at Behms Road Entry/Exit point

4. Inspection results summary

Overall Findings

General observation/s	Sediment observed on road from Waragap's operations at both Behms Road and Pimpama-Jacobs Well Road.
Compliance level	☒ Environmental nuisance/minor non-compliance ☐ Actual or risk of material harm/repeat non-compliance ☐ Actual or risk of serious harm ☐ Compliant ☐ Fully compliant/best practice
Environmental risk	☐ (1) Very low ☒ (2) Low ☐ (3) Moderate ☐ (4) High ☐ (5) Very high

5. Natural justice

- ☒ The person has been provided with the opportunity to put their side of the story forward.

Telephone Bevan Laming on 12 June 2013 advising that departmental officers observed sediment being tracked onto the road from his premises, particularly at the entry point on Pimpama-Jacobs Well Road.

- ☒ List any information and/or defences provided.

Bevan advised that he had been using the water truck twice a day but it was very busy at the moment – high traffic of trucks entering and exiting the property. He had also installed the shaker grid and concrete driveway recently.

- ☒ The Department has considered the information or defences provided.

MD advised that the department acknowledges that Bevan has undertaken actions to prevent the sediment from leaving the site however the shaker grid and concrete driveway still needed to be maintained to ensure they worked effectively. The sediment needed to be cleaned off the road and the water truck may need to be used more frequently due to the increased traffic. Also advised that an inspection would be undertaken in the coming weeks to determine whether the site was compliant.

- ☒ The decision-maker and environmental officer are free from bias or the perception of bias.

Inspections Toolkit

(Level A, B, and C) Checklist, On-Site Record & Inspection Report

6. Ecotrack

Ecotrack case number	CA28238 – Level A, Reactive Initial
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Activity	Time (hours)	Comments
Planning	1	Reviewed file and recent complaints
Inspection	0.5	Observed entry points on the site for approximately 5 minutes each and took photographs
Reporting	2	
Total	3.5	

7. Recommendation

Enforcement measure	Date issued:	Type:	Next due date:
Verbally Warning	Contacted site owner/operator Bevan Laming on 11 June 2013 and verbally warned him that the sediment needed to be cleaned off the road and the shaker grid and cemented driveway maintained to ensure further sediment is not released off the site. Officers from the department would be inspecting the property in the following weeks and if the sediment had not been cleaned up, further enforcement action such as a PIN would be considered.		
Next inspection date	First week of July 2013.		

8. Endorsement

The recommending officer and supervisor are required to sign and date below.

Recommending Officer		Supervisory Review	
Signature:	sch4 - Personal information	Signature:	sch4 - Personal informa
Print Name:	Megan Davis	Print Name:	Angie Hollister
Position:	Senior Environmental Officer	Position:	Principal Environmental Officer
Date:	13 June 2013	Date:	18/6/13

Map of Site and Observations during inspection



From: Pam [mailto:pam@wholesalesands.com.au]

Sent: Thursday, 16 May 2013 9:32 AM

To: Quintal Claire

Subject: FW: [Fwd: The Chief's Pics]

Good Morning Claire,

Please find attached recent photos of the new grid in the quarry.

Regards

Bevan Laming

Wholesale Sands & Wholesale Sands Recycling

1754 Jacobs Well Road

Jacobs Well Qld 4208

PH: (07) 5546 1454

FX: (07) 5546 1644

pam@wholesalesands.com.au









Davis Megan

From: Davis Megan
Sent: Wednesday, 26 June 2013 11:38 AM
To: 'PEASE Mark'
Subject: RE: Wholesale Sands

Hi Mark,

As discussed, Waragap Pty Ltd trading as Wholesale Sand holds a current Beneficial Use Approval that allows for the beneficial use of concrete washout in acid sulphate soil treatment and for the recovery of aggregates and sand at 124 Behms Road, Jacobs Well QLD 4208.

Waragap also holds a number of development approvals and BUA's for this site and the adjoining site, accessible by Pimpama-Jacobs Well Road. These approvals are on the departmental public register. To obtain copies of these permits please telephone Permit and Licence Management on 1300 130 372.

Regards,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



From: Davis Megan
Sent: Tuesday, 25 June 2013 4:30 PM
To: 'PEASE Mark'
Subject: RE: Wholesale Sands

Hi Mark,

I can confirm that Waragap Pty Ltd operating as Wholesale Sands and Soil have a Beneficial Use Approval to accept concrete washout onto their site to treat untreated acid sulphate soils in addition to their extraction and screening approvals.

I can also advise that accepting untreated acid sulphate soils is not an Environmentally Relevant Activity which requires an approval under the Environmental Protection Act 1994 as it does not constitute 'regulated waste' or 'contaminated soil' however, if Wholesale Sands does accept this material they must comply with the following.

Any operator removing, transporting, storing, treating or disposing of ASS should comply with:

-STATE PLANNING POLICY 2/02 Planning and Managing Development Involving Acid Sulfate Soils (the new SPP for ASS was expected to be completed by SDIP with input from NRM and DSHITIA by April 2013). James – if you wish I can get an update on this for you.

-Queensland Acid Sulfate Soil Technical Manual: Soil Management Guideline available on the EHP website (the new Manual will be completed by Lauren Obrien, DSHITIA early this year)
-any other relevant guidance material which outlines best practice for handling, treating and disposing of ASS
-EP Act s319 General Environmental Duty (GED) for operators to take all practical and reasonable measures to inform themselves of ASS best management practices and prevent and/or minimize harm
-EP Act s440ZG Depositing prescribed water contaminants in waters and related matters
-EP Act s443 Offence to place contaminant where environmental harm or nuisance may be caused. Several EP Reg Schedule 9 'Prescribed Water Contaminants' items could be considered ASS-related, making it an offence to dump ASS or ASS-contaminated waters.
-if ASS is removed from a site on the CL register a soil disposal permit may be required
-any applicable local Council laws, regulations and policies

Regards,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



From: PEASE Mark [<mailto:MPEASE@goldcoast.qld.gov.au>]
Sent: Thursday, 13 June 2013 3:49 PM
To: Davis Megan
Subject: RE: Wholesale Sands

Hi Megan

Thanks for getting back to me. Regarding ASS management, on our site-by site basis, we have taken the general approach of managing them in accordance with our Environmental Management System procedures for ASS. This includes, for projects involving >100m3 sample, prepare a management plan and contact Town Planning on ph-55828152 to determine if any Town Planning requirements are triggered. For projects involving >1000m3 sample, contact Town Planning on ph-55828152 to determine if any Town Planning requirements are triggered and submit for approval a draft environmental management program to DEHP (hasn't been any ASS projects of this scale to-date). It would be preferred if ASS could be undertaken (if required) at the Wholesale Sands site. I'll wait on your advice about that.

I've spoken to Development Compliance again this afternoon. Apparently we wouldn't require any land forming permit etc. Existing requirements on the site would cater for that aspect.

Will wait to hear back from you in a couple of weeks.

regards

Mark

From: Davis Megan [<mailto:Megan.Davis@ehp.qld.gov.au>]
Sent: Thursday, 13 June 2013 15:15
To: PEASE Mark

Cc: Hollister Angie; Quintal Claire
Subject: RE: Wholesale Sands

Hi Mark,

sch4 - Personal information

This has been an ongoing issue for Wholesale Sands for some time now.

Wholesale Sands does not have a current environmental approval to accept untreated acid sulphate soils, however, under the previous legislation an approval was not required providing that the soils was treated in accordance with the Acid Sulphate Soil Management Plan from the site of extraction. I will review the legislation and confirm whether this is still the case – this may take a couple of weeks as I may need to seek advice from our corporate office.

Can you advise whether Council hold a current Acid Sulphate Soil Management Plan for these works?

Accepting and treating ASS and using it to backfill the Wholesale Sands site, subsequently changing the ground levels of the site, and potentially the end use of the site, may also need to be approved by Council's development assessment team. Have you spoken to anyone from this team as yet?

Having said this, reusing 'waste' and avoiding landfilling is the ultimate aim of the *Waste Reduction and Recycling Act 2011* and we commend the Council on taking steps to achieve this objective, however, we want to ensure that the risks involved in transporting and treating acid sulphate soil and reinterring it into a wastewater pond that connects with groundwater does not impact on environmental values.

Please don't hesitate to call me should you have any queries on 5583 2146. I will be in touch in a couple of weeks.

Regards,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

visit us online at www.ehp.qld.gov.au



From: PEASE Mark [<mailto:MPEASE@goldcoast.qld.gov.au>]
Sent: Thursday, 13 June 2013 11:28 AM
To: Davis Megan
Cc: Quintal Claire
Subject: RE: Wholesale Sands

Hi Megan

Long time, no chat. I hope you are going well. I spoke to Claire recently regarding a question I have with Wholesale Sands (Waragap Holdings Pty Ltd) and understand you are the contact person at the moment.

In late 2011, I was tick tacking with Janelle Bush about this site. It lead to us starting to utilise this site for disposal of certain limited materials, including acid sulfate soils. However, shortly after, we found out that the site was under compliance action by Council's Development Compliance section. Utilising the site stopped immediately to prevent any potential conflict of interests issues for Council.

Its come up recently whether utilising the site for disposal of certain materials may be an option again? I spoke to Council's Development Compliance section last week who advised that the previous non-compliance matters are all but resolved. They didn't have any objections with utilising the site again subject to the status/advice from DEHP.

The most benefit to Council in utilising this site would be for disposal of spoil from flood mitigation maintenance works on the Jacobs Well floodplain. Some of this material would contain ASS's. There would also be benefits (despite requiring additional transport) in utilising this site for disposal of soil materials from maintenance and construction activities in from other areas of the Gold Coast. Presently this type of material is dried, treated (if required) and disposed to landfill if a re-use can't be found. The volume of soil materials (dried) sent to landfill in 2012/13 will be about 65,000 tonnes at a cost (landfill charges only) of about \$6M. This cost does not include handling/drying/treatment or the cost to Council for the landfill space. The ability to dispose of construction and demolition waste at the site would also be beneficial.

The Engineering Services section of Council has reduced the volume of materials sent to landfill by at least 100,000 tonnes/yr compared to 4-5 years ago. This has been achieved through a combination of avoidance, reuse and recycling. Being able to utilise the Wholesale Sands site for disposal of soil material and/or other materials such as construction and demolition waste would achieve a number of further benefits.

Could this request please be considered and advice provided at DEHP's convenience. Please let me know if you'd like any further information.

Thankyou

Mark

From: Bush Janelle [<mailto:Janelle.Bush@derm.qld.gov.au>]
Sent: Friday, 21 October 2011 8:20
To: PEASE Mark
Subject: RE: Wholesale Sands

Hi Mark,

Please find attached a copy of the beneficial reuse approvals which apply to the Wholesale sands site (Lot 6 on RP6848, Lot 1 on RP186126 and Lot 1 on SP120616). The beneficial reuse approvals permit the reuse of concrete washout and drilling waters. The existing development approval for the site permits the conduct of dredging and screening. In addition to these approvals, Wholesale sands have been requested to submit an acid sulfate soil management plan and site based management plan which incorporates the rehabilitation conditions of the development approval for review and comment by the department prior to the commencement of filling activities. These documents are yet to be received by the department.

I have made contact with Dennis Baker from ESSA (the consultant for Wholesale sands) to discuss the owners (Bevan Laming) intentions with respect to the receipt of C&D waste at the site for the filling activities. Dennis has indicated that he does not believe that it is Bevan's intention to take C&D waste. I have however also provided email correspondence to Dennis and Bevan outlining that C&D waste is not currently permitted to be received and or sorted on site and that the above information is required to be submitted and reviewed by the department prior to the commencement of filling activities.

I will let you know if further communication is made with the department to seek a waste transfer station approval to receive and sort C&D waste.

Please note that the above information is the same for the neighbouring land (Lot 2 on SP102616 and Lot 1 on RP193686) also owned by Bevan Laming, previously operating as Queensland Sand and Soil.

Please let me know if you require any further information.

Regards,

Janelle Bush
Principal Environmental Officer
Environmental Services
South East Region- Gold Coast
Department of Environment and Resource Management
Ph: (07) 5583 2132
Fax: (07) 5583 2136

Level 1
14 Edgewater Court
ROBINA QLD 4226

PO Box 4244
ROBINA TOWN CENTRE
ROBINA QLD 4230

From: PEASE Mark [mailto:MPEASE@goldcoast.qld.gov.au]
Sent: Wednesday, 19 October 2011 9:37 AM
To: Bush Janelle
Subject: Wholesale Sands

Hi Janelle

Thanks for your time yesterday to have a chat about Wholesale Sands. As discussed could you please provide either a summary and/or the relevant permits to confirm what materials/products, and under what conditions if any, are approved by DERM for disposal at that site.

FYI - I have spoken to Zelda Matthews of Council's Development Compliance and it seems that there may be some concerns from Zelda's perspective from points that I passed on from yesterday's meeting.

Thankyou

Mark

Mark Pease
Coordinator Environmental Management
for the Chief Executive Officer

Gold Coast City Council
Ph: 5667 3738 **Mob:** [sch4 - Personal in] **Fax:** 5667 3746
PO Box 5042 Gold Coast Mail Centre Qld 9726
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Davis Megan

From: Harnden Andrew on behalf of Regulatory Practice
Sent: Monday, 17 June 2013 1:21 PM
To: Davis Megan
Cc: Hollister Angie; Regulatory Practice; O'Brien Lauren; Morrison David
Subject: RE: ERPS response - Conflicting definitions of Regulated Waste - EP Act vs WRR Act

Follow Up Flag: Follow up
Flag Status: Completed

Hi Megan,

Thank you for your query. Reg practice does not have any new advice on regulation of ASS other than that provided in the email corro below.

You mentioned that the site in question is now proposing to accept significant amounts of ASS from the Gold Coast City Council – approximately 65,000 tonne per annum. Once treated (with lime/gypsum and with concrete washout (holds BUA for this) which has a high pH) the treated soil is used as fill of the extraction site. The current dredging pond interacts with groundwater which is high in the region and has the potential to cause harm if not managed appropriately. I would like to see additional groundwater testing in the area – monthly testing is undertaken on site but we have no real idea whether this is impacting off-site groundwater in the area as they are not required to test this. The groundwater is high in that region but is not very well understood.

The onus is on the operator to provide all relevant information including matters related to ground water to prove that potential risk of environmental harm can be managed. In order to invite any other helpful specific advice for protecting groundwater I've cc'd on this email Lauren Obrien (DSSITIA) and Dave Morrison (DNRM) as they have ASS expertise. You might also ring across to groundwater and Water Act 'experts' Alex Lloyd and Jerrod McMahon (DSSITIA) and/or John Armour (DNRM). I rang to Lauren this morning and she'd stepped away and I tried John Armour sch4 - Personal information

Lauren – thanks again for your ASS advice earlier this year. Please feel free to ring me anytime if you'd like to catch up.

I hope this is helpful.

Kind regards

Andrew Harnden
Principal Environmental Officer (non-mining)
Environmental Regulatory Practice & Support Unit
Environmental Performance & Coordination Branch
Environmental Services and Regulation Division
Department of Environment and Heritage Protection
Telephone: 07 3330 5964 **Facsimile:** 07 3330 5875 **Email:** andrew.harnden@ehp.qld.gov.au
www.ehp.qld.gov.au

Please consider the environment before printing this email

From: Davis Megan
Sent: Monday, 17 June 2013 11:45 AM
To: Harnden Andrew
Cc: Hollister Angie
Subject: FW: ERPS response - Conflicting definitions of Regulated Waste - EP Act vs WRR Act

Davis Megan

From: Davis Megan
Sent: Monday, 17 June 2013 11:45 AM
To: Harnden Andrew
Cc: Hollister Angie
Subject: FW: ERPS response - Conflicting definitions of Regulated Waste - EP Act vs WRR Act

Hi Andrew,

Just wanted to touch base and see where the regulation of untreated acid sulphate soil is up to?

The reason I ask is that we have a sand extraction site at Jacobs Well on the Gold Coast that currently treats small amount of untreated acid sulphate soil. As this is not a 'regulated waste' nor considered 'contaminated soil', the department required an Acid Sulphate Soil Management Plan (ASSMP) in 2010 but has not required any other specific approvals.

The site is now proposing to accept significant amounts of ASS from the Gold Coast City Council – approximately 65,000 tonne per annum. Once treated (with lime/gypsum and with concrete washout (holds BUA for this) which has a high pH) the treated soil is used as fill of the extraction site. The current dredging pond interacts with groundwater which is high in the region and has the potential to cause harm if not managed appropriately. I would like to see additional groundwater testing in the area – monthly testing is undertaken on site but we have no real idea whether this is impacting off-site groundwater in the area as they are not required to test this. The groundwater is high in that region but is not very well understood.

As per your email below, it looks like the only requirements are:

Any operator removing, transporting, storing, treating or disposing of ASS should comply with:

- STATE PLANNING POLICY 2/02 Planning and Managing Development Involving Acid Sulfate Soils (the new SPP for ASS was expected to be completed by SDIP with input from NRM and DSHITIA by April 2013). James – if you wish I can get an update on this for you.*
- Queensland Acid Sulfate Soil Technical Manual: Soil Management Guideline available on the EHP website (the new Manual will be completed by Lauren Obrien, DSHITIA early this year)*
- any other relevant guidance material which outlines best practice for handling, treating and disposing of ASS*
- EP Act s319 General Environmental Duty (GED) for operators to take all practical and reasonable measures to inform themselves of ASS best management practices and prevent and/or minimize harm*
- EP Act s440ZG Depositing prescribed water contaminants in waters and related matters*
- EP Act s443 Offence to place contaminant where environmental harm or nuisance may be caused. Several EP Reg Schedule 9 'Prescribed Water Contaminants' items could be considered ASS-related, making it an offence to dump ASS or ASS-contaminated waters.*
- if ASS is removed from a site on the CL register a soil disposal permit may be required*
- any applicable local Council laws, regulations and policies*

Please don't hesitate to give me a call on 5583 246 to discuss.

Cheers,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation

Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



Queensland
Government

From: Fenech Aaron
Sent: Monday, 17 June 2013 11:24 AM
To: Davis Megan
Cc: Hollister Angie
Subject: FW: ERPS response - Conflicting definitions of Regulated Waste - EP Act vs WRR Act

fyi

Aaron Fenech
Principal Environmental Officer
Environmental Services & Regulation - Southern Region
Department of Environment and Heritage Protection
T (07) 5583 2133 F (07) 5583 2136
E aaron.fenech@ehp.qld.gov.au
PO Box 4244, Robina Town Centre, ROBINA 4230
Level 1, 14 Edgewater Crt

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Queensland
Government

From: Harnden Andrew **On Behalf Of** Regulatory Practice
Sent: Monday, 6 May 2013 11:30 AM
To: Fenech Aaron
Subject: FW: ERPS response - Conflicting definitions of Regulated Waste - EP Act vs WRR Act

From: Harnden Andrew **On Behalf Of** Regulatory Practice
Sent: Thursday, 2 May 2013 9:29 AM
To: Rahman Ahmad; Regulatory Practice
Cc: Mackenzie James
Subject: RE: ERPS response - Conflicting definitions of Regulated Waste - EP Act vs WRR Act

Thank you Ahmad,

Your input will be valuable on this for when we can arrange a higher level discussion. Hopefully we'll be able to do that soon.

Kind regards

Andrew Harnden
Principal Environmental Officer (non-mining)

Environmental Regulatory Practice & Support Unit
Environmental Performance & Coordination Branch
Environmental Services and Regulation Division
Department of Environment and Heritage Protection
Telephone: 07 3330 5964 **Facsimile:** 07 3330 5875 **Email:** andrew.harnden@ehp.qld.gov.au
www.ehp.qld.gov.au

Please consider the environment before printing this email

From: Rahman Ahmad
Sent: Wednesday, 1 May 2013 4:32 PM
To: Regulatory Practice
Cc: Mackenzie James
Subject: RE: ERPS response - Conflicting definitions of Regulated Waste - EP Act vs WRR Act

Hi James and Andrew

In the absence of a proper definition of what constitutes "contaminated soil" I would like to rely on s424 of the EP Act. This section refers to removal/treatment/disposal of contaminated soil from a land which is on EMR/CLR. From this I take the view that the term "contaminated soil" refers to the soils generated from a site that is listed on EMR/CLR undergoing site rehab.

Contaminated soils generated from a site which is not on EMR or CLR should in my view be treated as regulated waste if it contains materials listed in schedule 7 of the EP Reg. For example, removal of soils for cleaning up of accidental spills.

s.73

In regard to the conflict in the definition of regulated waste under EP Act and WRR Act, I understand this is being addressed in the reg review which should be completed very soon (~September).

Cheers

Ahmad Rahman
Dept of Environment and Heritage Protection
Phone (07) 3330 5952 | **Facsimile** (07) 3330 5754

From: Harnden Andrew **On Behalf Of** Regulatory Practice
Sent: Wednesday, 1 May 2013 3:58 PM
To: Mackenzie James
Cc: Rahman Ahmad; Rahman Dean; Girdler Kerry; Regulatory Practice
Subject: ERPS response - Conflicting definitions of Regulated Waste - EP Act vs WRR Act

Hi James,

Thank you for your time on the phone today to discuss this issue. As agreed I have added this to the Issues register. And, as this is a matter that the Policy unit has been reviewing in its legislative waste reform project, we will make sure to include them in the discussion in addition to the Waste Tracking unit and (probably) the CL unit.

Kind regards

Andrew Harnden
Principal Environmental Officer (non-mining)
Environmental Regulatory Practice & Support Unit
Environmental Performance & Coordination Branch
Environmental Services and Regulation Division
Department of Environment and Heritage Protection

Please consider the environment before printing this email

s.73

RTI DL RELEASE - EHP

Davis Megan

From: PEASE Mark <MPEASE@goldcoast.qld.gov.au>
Sent: Thursday, 13 June 2013 3:49 PM
To: Davis Megan
Subject: RE: Wholesale Sands

Hi Megan

Thanks for getting back to me. Regarding ASS management, on our site-by site basis, we have taken the general approach of managing them in accordance with our Environmental Management System procedures for ASS. This includes, for projects involving >100m³ sample, prepare a management plan and contact Town Planning on ph-55828152 to determine if any Town Planning requirements are triggered. For projects involving >1000m³ sample, contact Town Planning on ph-55828152 to determine if any Town Planning requirements are triggered and submit for approval a draft environmental management program to DEHP (hasn't been any ASS projects of this scale to-date). It would be preferred if ASS could be undertaken (if required) at the Wholesale Sands site. I'll wait on your advice about that.

I've spoken to Development Compliance again this afternoon. Apparently we wouldn't require any land forming permit etc. Existing requirements on the site would cater for that aspect.

Will wait to hear back from you in a couple of weeks.

regards

Mark

From: Davis Megan [mailto:Megan.Davis@ehp.qld.gov.au]
Sent: Thursday, 13 June 2013 15:15
To: PEASE Mark
Cc: Hollister Angie; Quintal Claire
Subject: RE: Wholesale Sands

Hi Mark,

sch4 - Personal information

This has been an ongoing issue for Wholesale Sands for some time now.

Wholesale Sands does not have a current environmental approval to accept untreated acid sulphate soils, however, under the previous legislation an approval was not required providing that the soils was treated in accordance with the Acid Sulphate Soil Management Plan from the site of extraction. I will review the legislation and confirm whether this is still the case – this may take a couple of weeks as I may need to seek advice from our corporate office.

Can you advise whether Council hold a current Acid Sulphate Soil Management Plan for these works?

Accepting and treating ASS and using it to backfill the Wholesale Sands site, subsequently changing the ground levels of the site, and potentially the end use of the site, may also need to be approved by Council's development assessment team. Have you spoken to anyone from this team as yet?

Having said this, reusing 'waste' and avoiding landfilling is the ultimate aim of the *Waste Reduction and Recycling Act 2011* and we commend the Council on taking steps to achieve this objective, however, we want to ensure that the risks involved in transporting and treating acid sulphate soil and reinterring it into a wastewater pond that connects with groundwater does not impact on environmental values.

Please don't hesitate to call me should you have any queries on 5583 2146. I will be in touch in a couple of weeks.

Regards,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



From: PEASE Mark [mailto:MPEASE@goldcoast.qld.gov.au]
Sent: Thursday, 13 June 2013 11:28 AM
To: Davis Megan
Cc: Quintal Claire
Subject: RE: Wholesale Sands

Hi Megan

Long time, no chat. I hope you are going well. I spoke to Claire recently regarding a question I have with Wholesale Sands (Waragap Holdings Pty Ltd) and understand you are the contact person at the moment.

In late 2011, I was tick tacking with Janelle Bush about this site. It lead to us starting to utilise this site for disposal of certain limited materials, including acid sulfate soils. However, shortly after, we found out that the site was under compliance action by Council's Development Compliance section. Utilising the site stopped immediately to prevent any potential conflict of interests issues for Council.

Its come up recently whether utilising the site for disposal of certain materials may be an option again? I spoke to Council's Development Compliance section last week who advised that the previous non-compliance matters are all but resolved. They didn't have any objections with utilising the site again subject to the status/advice from DEHP.

The most benefit to Council in utilising this site would be for disposal of spoil from flood mitigation maintenance works on the Jacobs Well floodplain. Some of this material would contain ASS's. There would also be benefits (despite requiring additional transport) in utilising this site for disposal of soil materials from maintenance and construction activities in from other areas of the Gold Coast. Presently this type of material is dried, treated (if required) and disposed to landfill if a re-use can't be found. The volume of soil materials (dried) sent to landfill in 2012/13 will be about 65,000 tonnes at a cost (landfill charges only) of about \$6M. This cost does not include handling/drying/treatment or the cost to Council for the landfill space. The ability to dispose of construction and demolition waste at the site would also be beneficial.

The Engineering Services section of Council has reduced the volume of materials sent to landfill by at least 100,000 tonnes/yr compared to 4-5 years ago. This has been achieved through a combination of avoidance, reuse and recycling. Being able to utilise the Wholesale Sands site for disposal of soil material and/or other materials such as construction and demolition waste would achieve a number of further benefits.

Could this request please be considered and advice provided at DEHP's convenience. Please let me know if you'd like any further information.

Thankyou

Mark

From: Bush Janelle [<mailto:Janelle.Bush@derm.qld.gov.au>]
Sent: Friday, 21 October 2011 8:20
To: PEASE Mark
Subject: RE: Wholesale Sands

Hi Mark,

Please find attached a copy of the beneficial reuse approvals which apply to the Wholesale sands site (Lot 6 on RP6848, Lot 1 on RP186126 and Lot 1 on SP120616). The beneficial reuse approvals permit the reuse of concrete washout and drilling waters. The existing development approval for the site permits the conduct of dredging and screening. In addition to these approvals, Wholesale sands have been requested to submit an acid sulfate soil management plan and site based management plan which incorporates the rehabilitation conditions of the development approval for review and comment by the department prior to the commencement of filling activities. These documents are yet to be received by the department.

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I will let you know if further communication is made with the department to seek a waste transfer station approval to receive and sort C&D waste.

Please note that the above information is the same for the neighbouring land (Lot 2 on SP102616 and Lot 1 on RP193686) also owned by Bevan Laming, previously operating as Queensland Sand and Soil.

Please let me know if you require any further information.

Regards,

Janelle Bush
Principal Environmental Officer
Environmental Services
South East Region- Gold Coast
Department of Environment and Resource Management
Ph: (07) 5583 2132
Fax: (07) 5583 2136

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14 Edgewater Court
ROBINA QLD 4226

PO Box 4244
ROBINA TOWN CENTRE
ROBINA QLD 4230

From: PEASE Mark [<mailto:MPEASE@goldcoast.qld.gov.au>]
Sent: Wednesday, 19 October 2011 9:37 AM
To: Bush Janelle
Subject: Wholesale Sands

Hi Janelle

Thanks for your time yesterday to have a chat about Wholesale Sands. As discussed could you please provide either a summary and/or the relevant permits to confirm what materials/products, and under what conditions if any, are approved by DERM for disposal at that site.

FYI - I have spoken to Zelda Matthews of Council's Development Compliance and it seems that there may be some concerns from Zelda's perspective from points that I passed on from yesterdays meeting.

Thankyou

Mark

Mark Pease

Coordinator Environmental Management
for the Chief Executive Officer

Gold Coast City Council

Ph: 5667 3738 Mob: [REDACTED] Fax: 5667 3746

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goldcoastcity.com.au

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RTI/DL RELEASE - EHP

Running Sheet Summary

Complaint/Report Ref: CR59188

Complainant						
Ref	Name	Address	Phone	Mobile	Fax	Email
708934	sch3(10)(1)(b) Confidential source of information					

Alleged Source						
Ref	Name	Address	Phone	Mobile	Fax	Email
402014	Waragap Holdings Pty Ltd	1754 Jacobs Well Road JACOBS WELL QLD 4208	07 5546 1454	sch4 - Person	07 5546 1644	

Incident Location		
Name	Risk Level	Address
961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208		961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208

Source Ref: CR59188

Action Source Ref:

Date Commenced: 17/JUN/13

First Action: N

Officer Involved: DAVIS, Megan

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Telephone Call

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: Spoke to complainant and provided update (formal warning letter sent, recent site inspection and discussion with site operator). He is happy we are investigating and didn't want to be updated further.

Time Spent Hours: 1

Time Spent Minutes:

Outcome: Action Required - further investigation

Outcome Description: Plan to undertake inspection in the next few weeks to determine if sediment is being washed into roadside gutter and also being tracked from the site onto the road.

Due Date:

Date Completed: 17/JUN/13

Source Ref: CR59188

Action Source Ref:

Date Commenced: 17/JUN/13

First Action: Y

Officer Involved: DAVIS, Megan

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Email Received

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: Received complaint re sediment on side of road from Waragap Pty Ltd operations (operating as Wholesale Sands).

Time Spent Hours:

Time Spent Minutes: 15



Running Sheet Summary

Outcome: Action Required - further investigation

Outcome Description:

Due Date:

Date Completed: 17/JUN/13

RTI/DL RELEASE - EHP

Davis Megan

From: Davis Megan
Sent: Monday, 17 June 2013 12:45 PM
To: ESR - Gold Coast; Hollister Angie
Subject: RE: 955 Pimpama Jacobs Well Road, Jacobs Well

Fyi – spoke to complainant and provided update (formal warning letter sent, recent site inspection and discussion with site operator). He is happy we are investigating and didn't want to be updated further. Angie – I'm going to send a letter to Bevan because I don't know if the telephone calls are working with him (he is just washing the sediment into the drain beside the road when it gets dirty – I think I need to explain in writing why he can't do this). I'll draft and send to you for comment.

Ecotracked.

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



From: ESR - Gold Coast
Sent: Monday, 17 June 2013 10:29 AM
To: Davis Megan; Hollister Angie
Subject: RE: 955 Pimpama Jacobs Well Road, Jacobs Well

CR59188

Thanks

Sara Beach
Administration Officer
Environmental Services & Regulation
Southern Region
Department of Environment & Heritage Protection
Ph 07 5583 2139 Fax 07 5583 2136

Level 1, 14 Edgewater Court
Robina Town Centre QLD 4230

PO Box 4244
Robina QLD 4230

From: Davis Megan
Sent: Monday, 17 June 2013 10:05 AM
To: ESR - Gold Coast; Hollister Angie

Cc: Quintal Claire
Subject: RE: 955 Pimpama Jacobs Well Road, Jacobs Well

Hi,

This is Bevan's site -- Waragap Pty Ltd trading as Wholesale Sands. I'm happy to follow up, please lodge it as a complaint for them.

Cheers,

Megan Davis
Senior Environmental Officer (Gold Coast & Scenic Rim)
Southern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
Tel: 07 55832146 Fax: 07 55832136
E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au



From: ESR - Gold Coast
Sent: Monday, 17 June 2013 10:01 AM
To: Hollister Angie; Davis Megan
Cc: Quintal Claire
Subject: FW: 955 Pimpama Jacobs Well Road, Jacobs Well

Hi Guys,

This address doesn't come up in smart maps so I haven't been able to double check anything for you. Maybe you guys know the area and who it might be.

Thanks

Sara Beach
Administration Officer
Environmental Services & Regulation
Southern Region
Department of Environment & Heritage Protection
Ph 07 5583 2139 / Fax 07 5583 2136

Level 1, 14 Edgewater Court
Robina Town Centre QLD 4230

PO Box 4744
Robina QLD 4230

From: DEMIROVIC Omar [<mailto:ODEMIROVIC@goldcoast.qld.gov.au>]
Sent: Friday, 14 June 2013 3:58 PM
To: ESR - Gold Coast
Subject: 955 Pimpama Jacobs Well Road, Jacobs Well

Hi,

please be advised that Council's Environmental Health Compliance Group is in receipt of a complaint regarding trucks depositing sludge and debris onto road as they are entering and exiting a site located at 955 Pimpama Jacobs Well Road, Jacobs Well. This sludge/debris is then being washed into nearby stormwater drains when the road is washed on a regular basis.

A number of complaints of similar nature have been lodged with Council over the past months and from contact with officer's from your department it was advised that the site in question is a sand mine which holds an environmental authority with the State Government. As such the matter is referred to your department for any further action as deemed necessary.

The complainant details are:

sch3(10)(1)(b) Confidential source of information

Please advise if you require any further details regarding this complaint referral.

Kind Regards,

Omar Demirovic

Environmental Health Officer
Health, Regulatory & Lifeguard Services
City of Gold Coast

T: (07) 5581 6220 F: (07) 5581 1855
PO Box 5042 Gold Coast Mail Centre Qld 9729
cityofgoldcoast.com.au

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Council of the City of Gold Coast / Gold Coast City Council - confidential communication

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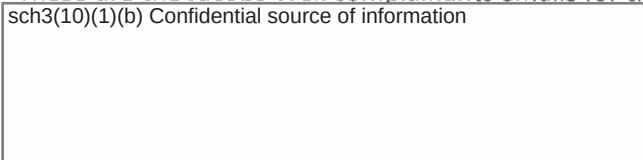
Davis Megan

From: Quintal Claire
Sent: Tuesday, 11 June 2013 11:48 AM
To: Davis Megan
Subject: Jacobs well complaints.

Hey Megs,

These are the Jacobs Well complainants emails for the general email updates:

sch3(10)(1)(b) Confidential source of information



CR 57889

CR 58625

CR 59512

I will Ecotrack the email that I sent out this morning now.

Thanks,

Claire Quintal (Spicer-Bell)

A/Principal Environmental Officer, Southern Region (Gold Coast)
Environmental Services & Regulation
Department of Environment and Heritage Protection
PO Box 4244, Robina Town Centre, QLD 4230

Telephone: (07) 5583 2137 **Fax:** (07) 5583 2136

Email: claire.quintal@ehp.qld.gov.au

Website: www.ehp.qld.gov.au



Running Sheet Summary

Compliance Activity Ref: CA28238

Client

Ref	Name	Address	Phone	Mobile	Fax	Email
402014	Waragap Holdings Pty Ltd	1754 Jacobs Well Road JACOBS WELL QLD 4208	07 5546 1454	sch4 - Perso	07 5546 1644	

Activity Location

Name	Risk Level	Address
Behms Road JACOBS WELL	2 Low	Behms Road JACOBS WELL QLD 4208

Source Ref: CA28238

Action Source Ref:

Date Commenced: 06/JUN/13

Officer Involved: DAVIS, Megan

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Site Inspection - Level A

Inspection Type: Reactive - Initial

Enforcement Measure Type:

Referral To:

Action: After receiving a number of complaints over the April to June period, departmental officers inspected Waragap to determine if there was sediment on the road leaving the site in breach of the development approval/minor water contamination provisions.

Time Spent Hours: 2

Time Spent Minutes:

Outcome: Action Required - progressing towards compliance

Outcome Description: Shaker grid installed and entryway cemented however a large amount of dust was still observed on cemented entry/exit point.

Due Date:

Date Completed: 06/JUN/13

Davis Megan

CR58625

From: Davis Megan
Sent: Wednesday, 12 June 2013 2:44 PM
To: sch3(10)(1)(b) Confidential source of info
Cc: Hollister Angie
Subject: RE: Pimpama-Jacobs well road

Good Afternoon sch3(10)(

Thank you for your email this morning regarding sediment being tracked onto Pimpama-Jacobs Well Road.

The department has received a number of complaints regarding sediment being tracked onto the road from this operator over the past couple of months, has sent a formal warning letter to the operator and undertook an inspection of the site last week. The operator has recently installed cattle grids and cemented the entrance to the property at both entry gates on Pimpama-Jacobs Well Road and also at the entrance to Behms Road. Due to a large volume of trucks entering and exiting the property it appears that the sediment is still making its way past these controls.

I telephoned the operator this morning and warned him that he needs to clean the sediment off the road and prevent more from being tracked out. I will be undertaking an inspection of the site in the coming weeks to determine if the site is compliant with the direction that was issued. If not, further action will be taken by the department.

Thank you again for your correspondence and I will keep you updated regarding the outcome.

Regards,

Megan Davis

Senior Environmental Officer (Gold Coast & Scenic Rim) Southern Region Environmental Services and Regulation
Department of Environment and Heritage Protection

Tel: 07 55832146 Fax: 07 55832136

E-mail: megan.davis@ehp.qld.gov.au

Visit us online at www.ehp.qld.gov.au

-----Original Message-----

From: sch3(10)(1)(b) Confidential source of information

Sent: Wednesday, 12 June 2013 10:52 AM

To: Quintal Claire

Subject: Pimpama-Jacobs well road

Hello Claire,

I took this picture of the mud on the road today! It appears that the owners of that property do not have any respect for the local residents and the warnings from your department. Maybe the gates need to be locked until they comply with the laws?

sch3(10)(1)(b) Co

Davis Megan

From: sch3(10)(1)(b) Confidential source of information
Sent: Wednesday, 12 June 2013 11:05 AM
To: Davis Megan
Subject: Fwd: Pimpama-Jacobs well road

Begin forwarded message:

From: sch3(10)(1)(b) Confidential source of information
Date: 12 June 2013 10:52:25 AM AEST
To: "claire.quintal@ehp.qld.gov.au" <claire.quintal@ehp.qld.gov.au>
Subject: Pimpama-Jacobs well road

Hello Claire,

I took this picture of the mud on the road today! It appears that the owners of that property do not have any respect for the local residents and the warnings from your department. Maybe the gates need to be locked until they comply with the laws?

sch3(10)(1)(b) Confidential



From: Quintal Claire
Sent: Tuesday, 11 June 2013 8:57 AM
To: Davis Megan
Subject: Sand extraction sites, Jacobs Well

Good morning,

As you are aware, the Department of Environment and Heritage Protection (the department) has been undertaking an investigation into activities conducted at the sand extraction sites located at Pimpama-Jacobs Well Road and Behms Road. You are receiving this email as you have contacted the department regarding activities conducted at these sites. Please find below an update on the investigation for your information.

Sediment on road

On 1 May 2013 the department issued warning letters to two operators on Pimpama-Jacobs Well Road and Behms Road regarding release of sediment on public roads and roadside gutters. Following on from these letters being issued, one site implemented sediment control measures in the form of concrete sealed entrance / exit and shake grids (cattle grids). On 6 June 2013 officers of the department inspected the sites and noted that sediment was still evident on the public roads. It was observed that although the sediment control measures have been implemented further works is required to maintain these measures. The department will be contacting the operators during the week to discuss the next steps in order to prevent sediment from being released off site.

Alleged receipt of illegal waste

The department has received numerous complaints recently from the community regarding concerns that the sand extraction sites are receiving illegal wastes and dumping this material into the lakes / onto land. The department has been investigating this issue however the investigation has not revealed that any material received on the site is illegal. On 6 June 2013 the department noted that numerous trucks were entering the site at Pimpama-Jacobs Well Road. Upon investigation it was observed that clean fill material was being depositing at the site. This material is permitted to be received at the site. In addition, the sites are authorised to receive concrete washout / concrete slurry material and drilling waters. Some of these materials are delivered in liquid waste vehicles of which you may have observed entering the sites. This investigation is continuing.

Impacts to groundwater

The department is investigating the issue of potential impacts to groundwater as a result of the activities conducted on these sites. Once this investigation has been finalised further information will be provided to you.

The department would like to thank you for sending through information regarding the operations at these sites. The department will continue its investigations and keep you updated. These investigations will now be managed by Megan Davis, Senior Environmental Officer of the department. Should you become aware of further information that may assist in these investigations please do not hesitate to contact Megan Davis on 5583 2146 or megan.davis@ehp.qld.gov.au

Thank you,
Claire

Claire Quintal (Spicer-Bell)

A/Principal Environmental Officer, Southern Region (Gold Coast)
Environmental Services & Regulation
Department of Environment and Heritage Protection
PO Box 4244, Robina Town Centre, QLD 4230

Telephone: (07) 5583 2137 **Fax:** (07) 5583 2136

Email: claire.quintal@ehp.qld.gov.au

Website: www.ehp.qld.gov.au



Hon Andrew Powell MP
Minister for Environment and Heritage Protection

Ref CTS 12147/13

6 JUN 2013

Ms Jackie Trad MP
 Member for South Brisbane
 PO Box 5326
 WEST END QLD 4101

Level 13
 400 George Street Brisbane 4000
 GPO Box 2454 Brisbane
 Queensland 4001 Australia
 Telephone +61 7 3239 0844
 Facsimile +61 7 3224 2496
 Email environment@ministerial.qld.gov.au

Dear Ms Trad

Thank you for your letter of 17 May 2013 making representation on behalf of residents at Jacobs Well concerning lakes in the local area. The Department of Environment and Heritage Protection is aware of the matters raised in your letter and they form part of an ongoing investigation currently being undertaken by the department.

Three facilities exist within the lake area identified on the map you provided including North End Industrial Solutions on Behms Road; Wholesale Sands located on Behms Road and Pimpama-Jacobs Well Road; and EcoEarth Resources located on Stapylton-Jacobs Well Road. These facilities hold beneficial use approvals to accept concrete washout and drilling waters to control the acidity of the pond water and/or to acquire the sand and gravel within the resource to generate profit.

The department is currently investigating allegations received about receipt of material in contravention of the conditions of the beneficial use approvals. In addition, further investigation is being undertaken into whether the use of the ponds for processing concrete washout and drilling waters is impacting the surrounding environment.

s.73

I hope this information is of assistance when replying to your constituents. Should you have any further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

Quintal Claire

From: Ventura, Simone
Sent: Tuesday, 4 June 2013 11:19 AM
To: Quintal Claire
Subject: ENBU01192410 - Waragap holdings amendment approved

Hi Claire,

Please be aware that the amendment application for specific approval ENBU01192410 by Waragap Holdings to provide for the use of concrete washout waste in acid sulphate soil treatment and screening for aggregate and sand recovery has been approved. The granting of this amendment does not approve the receiving of acid sulphate soils on site, it only approves the use of concrete washout in treating the soils. Waragap Holdings will still need to comply with all of the relevant conditions of their EAs regarding maintaining the pH of the dredge ponds.

All of the relevant documents have been uploaded onto Ecotrack.

Cheers

Simone Ventura
Principal Project Officer, Waste and Land Contamination Assessment
Statewide Environmental Assessments
Telephone: 07 3330 5729 **Facsimile:** 07 3330 5875
www.ehp.qld.gov.au
Department of Environment and Heritage Protection
Level 9, 400 George Street, Brisbane Qld 4000
GPO Box 2454, Brisbane Qld 4001

RECEIVED / REGISTERED	
Dept of Environment and Heritage Protection Gold Coast	
01 MAY 2013	
File #:	SOR113337
Item #:	2017428



Enquiries Claire Quintal
Telephone (07) 5583 2137
Our reference 241591 / SOR113337 / WARN3711

Department of
Environment and
Heritage Protection

1 May 2013

Bevan Laming
Waragap Holdings Pty Ltd
1754 Jacobs Well Road
Jacobs Well Qld 4208

Dear Mr Laming,

Warning Letter WARN3711 – Sediment on public road and roadside gutters – 5 April 2013

This warning letter is issued to you with respect to the release of prescribed water contaminants (sediment) from the site described as Lot 1 Plan RP186126, Lot 1 Plan SP102616 and Lot 6 Plan RP6848 situated at Behms Road, Jacobs Well (the site) to public roads and roadside gutter.

As discussed during the inspection on 5 April 2013 authorised officers of the Department of Environment and Heritage Protection (the department) observed significant build-up of sediment outside the entrance of Behms Road of which was determined to have been released as a result of vehicular traffic departing the site.

In addition authorised officers observed a water truck being used to wash the sediment from the road of which resulted in the transfer of material from the public road to the roadside gutters. Substantial sediment build up was evident on the roadside gutters and within the roadside vegetation. The department acknowledges that the water truck was being used to clean-up material from the public road however the clean-up activity is only transferring the contaminants from the road to the gutter rather than removing the material. As discussed during the inspection you are responsible for preventing the release of sediment from your site to any road or roadside gutter.

Please note that under Section 440ZG of the *Environmental Protection Act 1994* it is an offence to release sediment to waters, a roadside gutter or stormwater drainage. Section 440ZG states:

A person must not unlawfully deposit a prescribed water contaminant in waters; or in a roadside gutter or stormwater drainage; or at another place, and in a way, so that the contaminant could reasonably be expected to wash, blow, fall or otherwise move into waters, a roadside gutter or stormwater drain; or unlawfully release stormwater run-off into waters, a roadside gutter or stormwater drainage that results in the build-up of earth in waters, a roadside gutter or stormwater drainage.

The maximum penalty for this offence is \$33,000. Under Schedule 9 of the *Environmental Protection Act 2008* 'Prescribed water contaminants' include ashes, clay, gravel, sediment, stones and similar organic or inorganic matter.

Formal Warning

As a result of the events surrounding this matter please be advised that you have been formally warned that it is an offence under the *Environmental Protection Act 1994* to unlawfully deposit a prescribed water contaminant in a roadside gutter or at another place so that the contaminant could reasonably be expected to wash into waters or a roadside gutter.

Based upon the information available to the department regarding the matter it has been determined that no further action will be taken at this point in time. In the event that additional information or evidence is made available, or if other offences occur in the future, other enforcement action may be considered in accordance with the department's Enforcement Guidelines.

At the time of the inspection authorised officers did not observe sediment build-up on Pimpama-Jacobs Well Road from the entrance to your site located at 961 Pimpama Jacobs Well Road, Pimpama. However, the department has recently received several complaints from the public regarding this matter. Please take this warning letter to also apply to the release of sediment from the Pimpama-Jacobs Well entrance to the road or roadside gutter.

The department requests a full response to this warning letter including any measures that will be implemented to prevent the release of sediment from the site to Behms Road and/or Pimpama Jacobs Well Road and/or any roadside gutter. Please include in your response the proposed dates of which the measures are proposed to be implemented. A response is requested to be submitted to the department by **17 May 2013**. Should you have any further enquiries, please do not hesitate to contact Miss Claire Spicer-Bell, Senior Environmental Officer, on telephone 07 5583 2137.

Yours sincerely

sch4 - Personal information

William Inonda
A/Manager
Gold Coast & Scenic Rim, Southern Region
Environmental Services & Regulation
Department of Environment and Heritage Protection

Attachment 1 – Image 1 - Photograph of sediment on the road from 124 Behms Road, Jacobs Well, 5 April 2013

Image 1 – Photograph of sediment on the road from 124 Behms Road, Jacobs Well, 5 April 2013



Quintal Claire

From: Spicer-Bell Claire
Sent: Monday, 4 March 2013 9:36 AM
To: sch3(10)(1)(b) Confidential source of infor
Subject: Sediment on Road complaint

Hi sch3(10)

As discussed on the telephone, please forward through any photos of the sediment on the road, with the time and date that the photograph was taken.

Please contact me if you have any further queries.

Thank you for your time.

Claire Spicer-Bell
Senior Environmental Officer, Southern Region (Gold Coast)
Environmental Services & Regulation
Department of Environment and Heritage Protection
PO Box 4244, Robina Town Centre, QLD 4230

Telephone: (07) 5583 2137 **Fax:** (07) 5583 2136
Email: claire.spicer-bell@ehp.qld.gov.au
Website: www.ehp.qld.gov.au



Running Sheet Summary

Complaint/Report Ref: CR58331

Complainant

Ref	Name	Address	Phone	Mobile	Fax	Email
705482	sch3(10)(1)(b) Confidential source of information					

Alleged Source

Ref	Name	Address	Phone	Mobile	Fax	Email
402014	Waragap Holdings Pty Ltd	1754 Jacobs Well Road JACOBS WELL QLD 4208	07 5546 1454	sch4 - Perso	07 5546 1644	

Incident Location

Name	Risk Level	Address
961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208		961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208
Behms Road JACOBS WELL		Behms Road JACOBS WELL QLD 4208

Source Ref: CR58331

Action Source Ref:

Date Commenced: 03/APR/13

First Action: Y

Officer Involved: QUINTAL, Claire

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Telephone Call

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: CQ contacted sch3(10)(1)(b) regarding the complaint. sch3(1) stated that she has observed trucks entering the Jacobs Well-Pimpama Road site (Wholesale Sands) on numerous occasions during the evening and believe the material that is being dumped may be illegal wastes. sch3(1) stated that she has observed TPI, Elite, Patriot, Tox-Free and other trucking companies entering the site. CQ stated that if she has any photos with associated times and dates of trucks entering it would be beneficial in order to match the records held by the operator sch3(1) to send through photos. A site inspection will be conducted on 5 April 2013 for other matters and during the meeting all dockets relating to waste receipt on site will be requested for the past 4 weeks.

Time Spent Hours: 3

Time Spent Minutes:

Outcome: Action Required - further investigation

Outcome Description: Site inspection to be conducted on 5 April 2013. sch3(1) will continue to monitoring the activity where possible and provide information to the department where possible.

Due Date:

Date Completed:

Source Ref: CR58331

Action Source Ref:

Date Commenced: 03/APR/13

First Action: N

Officer Involved: QUINTAL, Claire

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Email Received

Inspection Type:

Enforcement Measure Type:

Referral To:



Running Sheet Summary

Action: sch3(10)(1)(b) forwarded further information regarding truck details entering the site. Dates and times have been provided with photos. Information to be reviewed after inspection on 5 April 2013.

Time Spent Hours: 1

Time Spent Minutes:

Outcome: Action Required - further investigation

Outcome Description: Match information received by complainant with records requested by the department.

Due Date:

Date Completed:

Source Ref: CR58331

Action Source Ref:

Date Commenced: 04/APR/13

First Action: N

Officer Involved: QUINTAL, Claire

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Email Received

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: Email sent by complainant - sch3(10)(1)(b) conducted night surveillance and documented up to 9 trucks entering the site between 1800 and 2330 on 3 April 2013.

Time Spent Hours: 1

Time Spent Minutes:

Outcome: Action Required - further investigation

Outcome Description: CQ to request waste dockets from operator to match dates and times with the information provided above.

Due Date:

Date Completed:

Source Ref: CR58331

Action Source Ref:

Date Commenced: 11/JUN/13

First Action: N

Officer Involved: QUINTAL, Claire

Responsible Office: ES-RSD-SER-Gold Coast

Action Type: Email Sent

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: Email sent to complainants to provide update on investigation into Jacobs Well sites. Email included update on sediment on the road, alleged illegal waste receipt and impacts to groundwater.

Time Spent Hours: 1

Time Spent Minutes:

Outcome: Action Required - further investigation

Outcome Description:

Due Date:



Running Sheet Summary

Date Completed:

RTI/DL RELEASE - EHP

Quintal Claire

CR 58331

From: sch3(10)(1)(b) Confidential source of information
Sent: Wednesday, 3 April 2013 4:00 PM
To: Quintal Claire
Subject: Re: Dumping liquid waste at Jacobs Well
Attachments: Tox 2.jpg; Rear of unmarked truck.jpg; Tox free.jpg; Sovereign Energy.jpg; Map.png; Patriot tanker.jpg

Hi Claire,

These are the trucks that I have seen entering or leaving this site.

Patriot (frequent)
Transpacific (frequent)
Sovereign Energy
Elite Liquid waste 26/3/13 leaving 1938hrs another truck with large trailer entering 2050hrs still there at 2200hrs.
Tox Free (frequent)
Vac-U-Digger.

I have included some of the photo's of the trucks entering or leaving the site. I have also included the photo of the unmarked truck that was seen going into the green waste area near the transfer station.

I had a chance to speak to some of the concerned residents prior to this email coming through and they are happy for you to contact them for more information

sch3(10)(1)(b) Confidential source of information

I went for a drive up there just before and notice that they now have a gate at the entrance which wasn't there before and not as many trucks today (large quantities of dirt on the road and the water truck washing dirt off is normally a sign of the high traffic going in there). They must have been tipped off by someone.

Thanks for your help. If I can get more information I will pass it on.

sch3(10)(1)

On 03/04/13, Quintal Claire <Claire.Quintal@ehp.qld.gov.au> wrote:

Hi sch3(10)(1)

Thank you for your time on the telephone today. As discussed, please forward through to me any details of the trucks entering the site including:

- Photographs
- Time & date the trucks entered the site
- Name of transporter (and registration number if possible)

Please forward my details onto anyone who wishes to lodge a complaint or further information regarding suspected illegal dumping. Please note that the site in question does have Beneficial Use Approvals issued by our department to receive concrete washout and drilling waters. These products are in liquid / slurry form.

Thank you,

Claire Quintal (Spicer-Bell)
Senior Environmental Officer, Southern Region (Gold Coast)
Environmental Services & Regulation
Department of Environment and Heritage Protection
PO Box 4244, Robina Town Centre, QLD 4230

Telephone: (07) 5583 2137 **Fax:** (07) 5583 2136

Email: claire.quintal@ehp.qld.gov.au

Website: www.ehp.qld.gov.au

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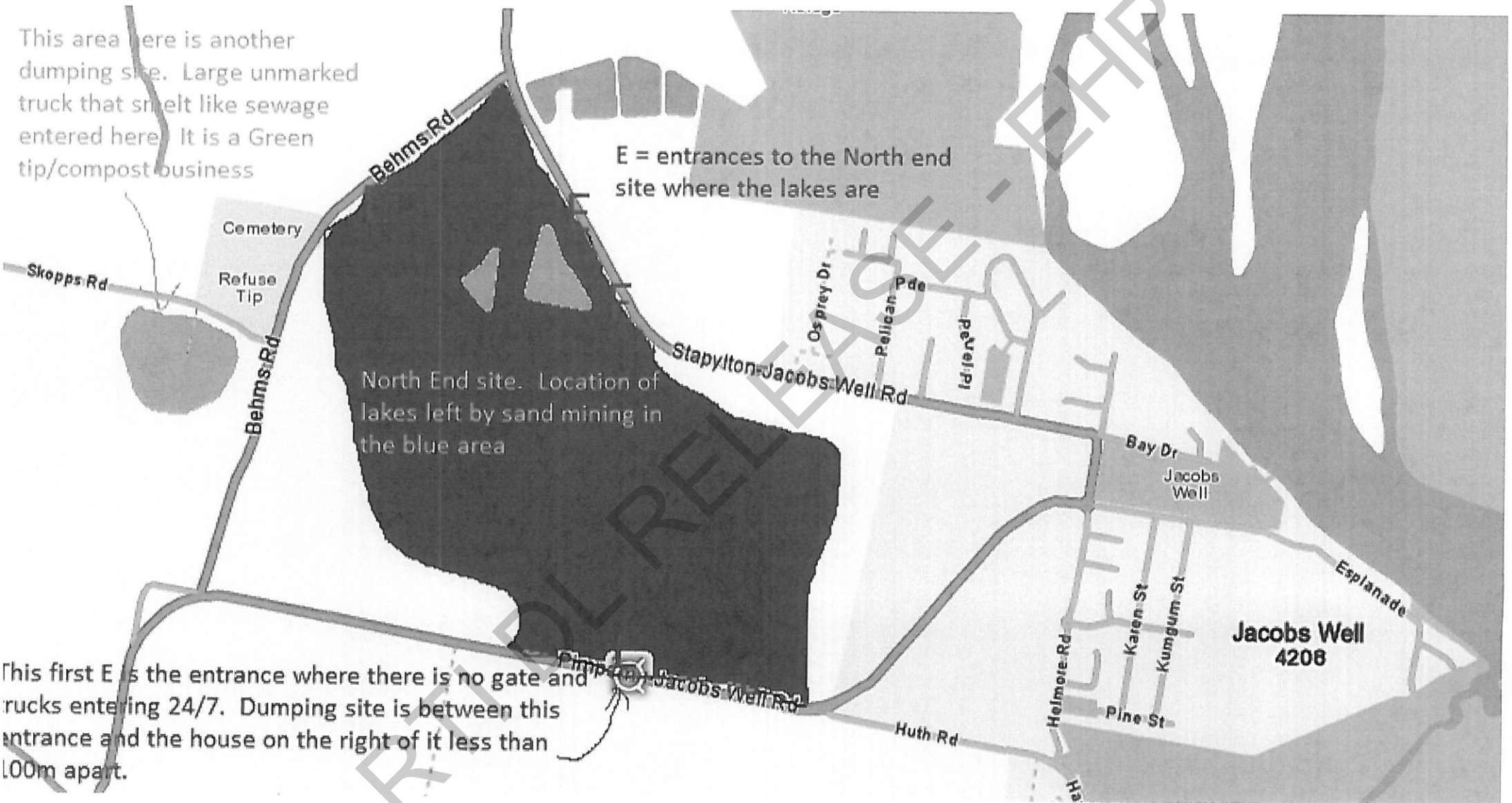
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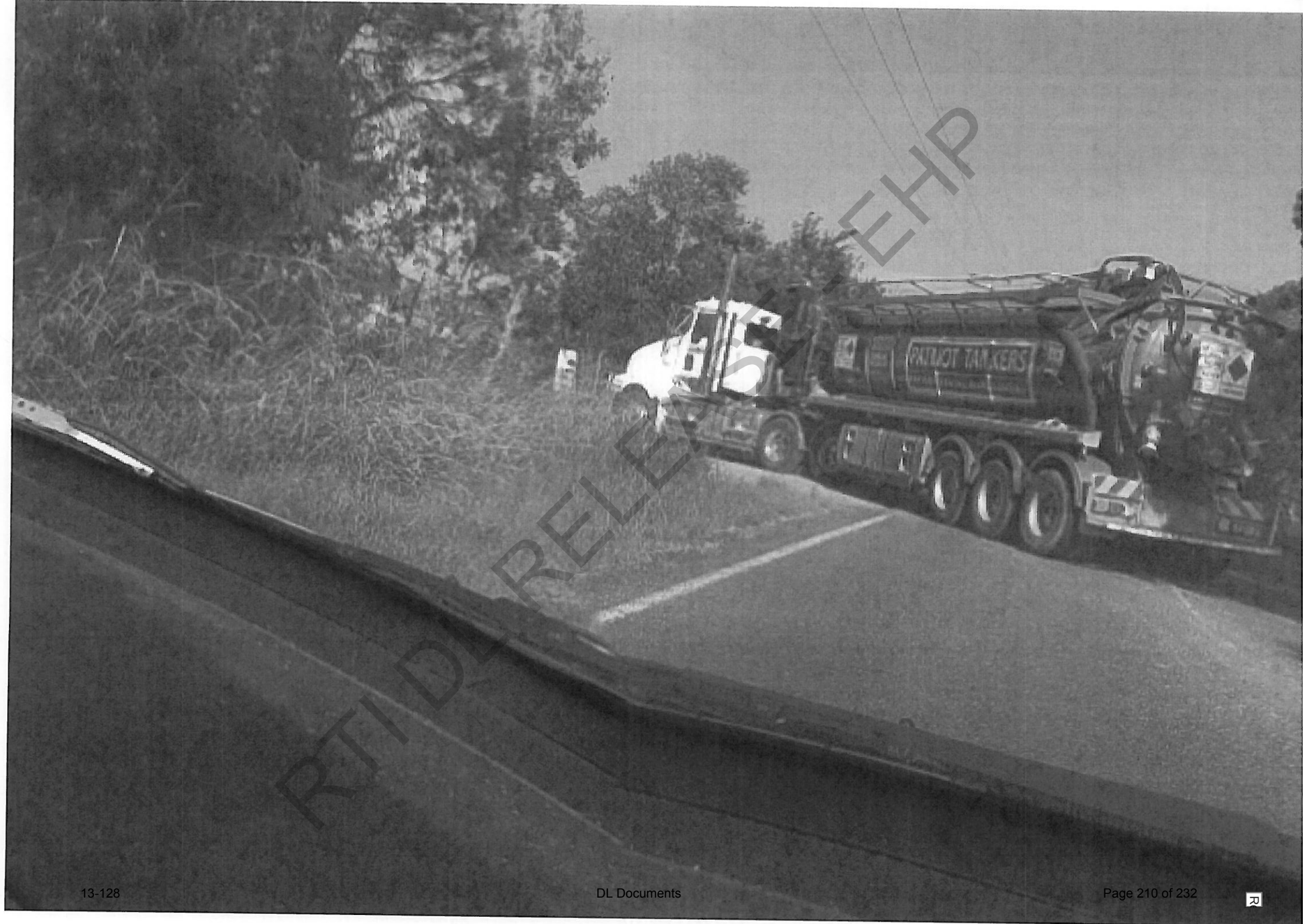
Sch4 - Per

Deliver Mailbox
→
Access Entrance

RTI/ DL RELEASE - EHP







Quintal Claire

CP 58080

From: Spicer-Bell Claire
Sent: Friday, 15 February 2013 11:20 AM
To: Davidson Rebecca
Subject: RE: Request for waste tracking dockets

Hi Bec,

s.73

s.73 At this stage I have no information to show that the fertiliser washing was delivered to Waragap after 10 August 2012 when we issued the warning letter. I will follow up with the Waste Tracking team in a few weeks to see if there were any deliveries to Waragap in Jan/Feb 2013.

If I receive any further information I will keep you in the loop. Thanks again!!

Claire

Claire Spicer-Bell

Senior Environmental Officer, Southern Region (Gold Coast)
Environmental Services & Regulation
Department of Environment and Heritage Protection
PO Box 4244, Robina Town Centre, QLD 4230

Telephone: (07) 5583 2137 **Fax:** (07) 5583 2136

Email: claire.spicer-bell@ehp.qld.gov.au

Website: www.ehp.qld.gov.au

From: Davidson Rebecca
Sent: Thursday, 14 February 2013 9:13 AM
To: Spicer-Bell Claire
Subject: FW: Request for waste tracking dockets

Hi Claire, FYI - email from Waste Track and attachments.

Cheers,
Bec

Rebecca Davidson

Senior Environmental Officer (Brisbane North)
Southern Region Environmental Services and Regulation
Department of Environment and Heritage Protection

Level 8, 400 George St, Brisbane

GPO Box 2454, Brisbane Q 4001

07 3330 6112

Visit us online at www.ehp.qld.gov.au

From: Svalbe Helena **On Behalf Of** Waste Track
Sent: Thursday, 14 February 2013 9:05 AM

To: Davidson Rebecca
Subject: RE: Request for waste tracking dockets

Good morning Rebecca

We only have one certificate from Impact Fertilisers since August. We however have a large backlog of certificates to be entered so if there were any in Jan/Feb they may not be in yet.

Regards
Helena

Helena Svalbe

Administration Officer | Waste Tracking
Dept of Environment and Heritage Protection
Telephone: 07 3330 5680 | Cisco Ext: 25680 | Facsimile: 07 3330 5634
E-mail: helena.svalbe@ehp.qld.gov.au

From: Davidson Rebecca
Sent: Wednesday, 13 February 2013 10:43 AM
To: Waste Track
Subject: Request for waste tracking dockets

Good Morning,

Can I please request the waste tracking dockets for the following; for transport of waste type 'fertiliser washings' from **August 2012 to the present:**

Generator: Impact Fertilisers P/L, 28 Savage St Pinkenba QLD 4008

Transporter: Patriot Tankers, Regulated Waste transporter ENRE02073110

Nominated Disposal Facility: Wholesale Sands or Waragap Holdings P/L, 1754 Jacobs Well Rd, Jacobs Well QLD 4208

Please contact me if you require any further information.

Thanks and kind regards,

Rebecca Davidson

Senior Environmental Officer (Brisbane North)
Southern Region Environmental Services and Regulation
Department of Environment and Heritage Protection

★ Level 8, 400 George St, Brisbane

✉ GPO Box 2454, Brisbane Q 4001

☎ 07 3330 6112

🌐 Visit us online at www.ehp.qld.gov.au



Complaint/Report Details

Complaint/Report Ref: **CR58080**

Priority/Sensitive: N

Complainant

Ref	Name	Address	Phone	Mobile	Fax	Email
700939	Department of Environment and Heritage Protection	400 George Street BRISBANE QLD 4000	1300 130 372			

Alleged Source

Ref	Name	Address	Phone	Mobile	Fax	Email
402014	Waragap Holdings Pty Ltd	1754 Jacobs Well Road JACOBS WELL QLD 4208	07 5546 1454	sch4 - Person	07 5546 1644	

Incident Location

Name	Risk Level	Address
961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208		961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208
Behms Road JACOBS WELL		Behms Road JACOBS WELL QLD 4208

Type: Alleged Compliance Issue

Nature: Waste : Illegal Dumping

Received Date: 31/JAN/13

Receiving Officer: QUINTAL, Claire

Receiving Office: ES-RSD-SER-Gold Coast

Status: Finalised

Origin: Notification by Government

Notification Method: Email

Project Manager: QUINTAL, Claire

Responsible Office: ES-RSD-SER-Gold Coast

Description

Event On/From Date:	Event On/From Time:	Received Time:
Event To Date:	Event To Time:	Ongoing: N Print Related Permits:
Description		
Rebecca Davidson of Environmental Services, Brisbane North contacted Claire Quintal regarding suspected illegal receipt of fertiliser washing at Queensland Sand and Soil, s78B(2) - Substantial harm		

Running Sheet Summary

Accrued Time: 0 hrs 0 mins

First Action	Date Commenced	Due Date	Action Type	Officer Involved	Outcome	Date Completed
Y	13/FEB/13		Email Received	QUINTAL, Claire	Action Required - further investigation	
	13/FEB/13		Telephone Call	QUINTAL, Claire	Action Required - further investigation	
	14/FEB/13		Email Received	QUINTAL, Claire	NFA	

Related Complaints/Reports

Ref	Complainant	Alleged Source	Incident Location	Received Date
S.73				
CR51366	Gold Coast City Council	Waragap Holdings Pty Ltd	Behms Road JACOBS WELL	28/APR/11
CR53839	sch3(10)(1)(b) Confidential so	Waragap Holdings Pty Ltd	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208	09/MAR/12
CR53839		Waragap Holdings Pty Ltd	Behms Road JACOBS WELL	09/MAR/12
CR53947		Waragap Holdings Pty Ltd	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208	19/MAR/12
CR53947		Waragap Holdings Pty Ltd	Behms Road JACOBS WELL	19/MAR/12
CR56052		Waragap Holdings Pty Ltd	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208	05/OCT/12
CR57889		Waragap Holdings Pty Ltd	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208	01/MAR/13
CR57889		Waragap Holdings Pty Ltd	Behms Road JACOBS WELL	01/MAR/13

Related Compliance Activity

Ref	Type	Information Entered	Client	Activity Location
CA21029	Not Applicable	22/JUN/10	Queensland Sand and Soil Pty Ltd	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208
CA24726	Environment	26/MAR/12	Waragap Holdings Pty Ltd	961 Pimpama Jacobs Well Road JACOBS WELL QLD 4208



Complaint/Report Details

Related Compliance Activity				
Ref	Type	Information Entered	Client	Activity Location
CA24726	Environment	26/MAR/12	Waragap Holdings Pty Ltd	Behms Road JACOBS WELL
CA25721	Southern Region Compliance Program	25/JUL/12	Waragap Holdings Pty Ltd	Behms Road JACOBS WELL
CA26545	Southern Region Compliance Program	26/NOV/12	Waragap Holdings Pty Ltd	Behms Road JACOBS WELL

RTI/DL RELEASE - EHP

File Note

File Reference: SOR113337

Subject: Waragap - Receipt of fertiliser washing

Print and file when complete.

Date: 13 February 2013

File Name: BST885 - Waragap (SOR113337)

Subject (Detail): Investigation into potential fertiliser washing being disposed of a Waragap (Queensland Sand & Soils / Wholesale Sands)

On 13 February 2013 Rebecca Davidson of Environmental Services Brisbane North forwarded Claire Spicer-Bell Waste Transport Certificates for Fertiliser Washings of which state that the material was transported by Patriot Tankers from the Impact Fertilisers, Pinkenba to Whole Sale Sands, Jacobs Well on 12 June 2012 and 17 July 2012.

Waste Transport Certificate Q00209076 states that Fertiliser Washing was transported from Impact Fertilisers by Patriot Tankers on the 2 January 2013. Part 3 of the form is incomplete therefore the Facility receiving the waste is unknown.

On 10 August 2012 a Warning Letter was issued to Waragap for the illegal acceptance of potential regulated waste on the site. Further enforcement action was suggested should Waragap continue to receive such waste material.

At 4.30pm on 13 February 2013 Claire Spicer-Bell contact Brett of Patriot Tankers (Director) to request further information regarding the facility that this material was transported to. Brett requested that I forward an email with the details of the request and he will investigate. CSB sent an email to Brett with a copy of the certificate in question.

sch4 - Personal information

13/2/2013

(enter signed date or delete words)

Signature

Date

Signature

Date

Author: Claire Spicer-Bell
Position: Senior Environmental Officer
Unit/Office: Robina, Gold Coast
Phone: 5583 2137

Select and complete as appropriate
Position:
Unit/Office:
Phone:

Quintal Claire

From: Davidson Rebecca
Sent: Tuesday, 12 February 2013 1:06 PM
To: Spicer-Bell Claire
Subject: RE: Wholesale Sands - Jacobs Well

Hi Claire,

I have just sent through an email to [s78B(2)] requesting copies of waste tracking docs for fertiliser washings for the last 6 months at least. Another way we can find all of these is to request them from EHP Waste Tracking –there is a central email inbox called Waste Track which I have used in the past to request dockets. It can take a few days for them to respond though but it is very thorough.

I will send you through Impact's email once they have responded. If it is taking too long, I'm happy to request the dockets through Waste Track if you like.

Cheers,
Bec

Rebecca Davidson

Senior Environmental Officer (Brisbane North)
Southern Region Environmental Services and Regulation
Department of Environment and Heritage Protection

★ Level 8, 400 George St, Brisbane
✉ GPO Box 2454, Brisbane Q 4001
☎ 07 3330 6112
🌐 Visit us online at www.ehp.qld.gov.au

From: Spicer-Bell Claire
Sent: Tuesday, 12 February 2013 12:47 PM
To: Davidson Rebecca
Subject: RE: Wholesale Sands - Jacobs Well

Thanks Rebecca!

What would be really useful would be the date of the waste tracking documentation [s78B(2) - Substantial harm]

[s78B(2) - Substantial harm]

On the 10th August 2012 our office issued the site with a warning letter that fertiliser washings, delivered by Patriot Tankers, were not to be placed into the dredge pond. I have attached a copy of the letter for your reference. At the time we were unsure whether the material was a regulated waste – we concluded that it may be considered item 46 (phosphorous compounds, other than mineral phosphates) of Schedule 1 of the EP Reg. In addition, it is assumed if the material is being transported by a reg waste transporter than it would be reg waste.

If it isn't too much trouble it would be really helpful if you were able to gather further dates that this material has been directed to the site or if you would be happy to provide a contact for [s78B(2) - Substantial harm] I would be happy to investigate.

Claire

Claire Spicer-Bell

Senior Environmental Officer, Southern Region (Gold Coast)
Environmental Services & Regulation
Department of Environment and Heritage Protection
PO Box 4244, Robina Town Centre, QLD 4230

Telephone: (07) 5583 2137 **Fax:** (07) 5583 2136

Email: claire.spicer-bell@ehp.qld.gov.au

Website: www.ehp.qld.gov.au

From: Davidson Rebecca

Sent: Tuesday, 12 February 2013 11:59 AM

To: Spicer-Bell Claire

Subject: RE: Wholesale Sands - Jacobs Well

Hi Claire,

Thanks for getting back to me, and no worries, it wasn't urgent.

s.73

s.73

I cited a waste tracking docket s78B(2) - Subst

s78B(2) that nominated Wholesale Sands as the nominated disposal facility for the 'fertiliser washings'.

s78B(2) - Substantial harm

I was told something about spraying it on grass

paddocks and then runoff entering a large dam; the water from which is then used to wash out the back of concrete trucks....? s78B(2) - Substantial harm

I thought it warranted a bit of investigation.

Let me know if you want me to assist with this in any way or if you need any more info. I would be interested to know if the disposal is lawful or not, as the generator of this waste is also responsible.

Cheers!

Rebecca Davidson

Senior Environmental Officer (Brisbane North)
Southern Region Environmental Services and Regulation
Department of Environment and Heritage Protection

✪ Level 8, 400 George St, Brisbane

✉ GPO Box 2454, Brisbane Q 4001

☎ 07 3330 6112

🌐 Visit us online at www.ehp.qld.gov.au

From: Spicer-Bell Claire

Sent: Monday, 11 February 2013 2:35 PM

To: Davidson Rebecca

Subject: RE: Wholesale Sands - Jacobs Well

Hi Rebecca,

sch4 - Personal information

Yes I am the project manager for Wholesale Sands and I would be very interested in any information regarding regulated waste being sent to the site. I have been investigating the site for illegal waste dumping for the past year so any information

Thornton Peter

Subject: FW: Wholesale Sands - Jacobs Well

From: Spicer-Bell Claire
Sent: Monday, 11 February 2013 2:35 PM
To: Davidson Rebecca
Subject: RE: Wholesale Sands - Jacobs Well

Hi Rebecca,

[sch4 - Personal information]

Yes I am the project manager for Wholesale Sands and I would be very interested in any information regarding regulated waste being sent to the site. I have been investigating the site for illegal waste dumping for the past year so any information would be useful. The site holds a BUA to accept drilling waters and concrete washout only therefore no other regulated wastes should be accepted at the site.

Happy to discuss further if you wish.

Thanks,
Claire

Claire Spicer-Bell
Senior Environmental Officer, Southern Region (Gold Coast)
Environmental Services & Regulation
Department of Environment and Heritage Protection
PO Box 4244, Robina Town Centre, QLD 4230

Telephone: (07) 5583 2137 **Fax:** (07) 5583 2136
Email: claire.spicer-bell@ehp.qld.gov.au
Website: www.ehp.qld.gov.au

From: Davidson Rebecca
Sent: Thursday, 31 January 2013 2:44 PM
To: Spicer-Bell Claire
Subject: Wholesale Sands - Jacobs Well

Hi Claire,

Just wondering if you have had any involvement with a site called Wholesale Sands, at 1754 Stapylton-Jacobs Well Rd, or if you could point me in the direction of anyone in your office that has. One of my sites here at Pinkenba sends off regulated waste (fertiliser washings) to Wholesale Sands and I have concerns about it as I can't find the site in Ecotrack as being registered for an ERA.

Thanks!
Bec

Rebecca Davidson
Senior Environmental Officer (Brisbane North)
Southern Region Environmental Services and Regulation
Department of Environment and Heritage Protection

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RTI/DL RELEASE - EHP

ANNUAL RETURN CHECKLIST

This checklist aims to provide consistency within the regions in ensuring that the Environmental Support Officers are assessing the same key critical information on the completed annual returns against the data held in Ecotrack. If you place a tick in any of the shaded boxes in the checklist, a full assessment is required.

1. Annual Return Period assessed:	9.9.11 to 8.9.12
2. Permit Holder:	Wavagap Holdings T/A Wholesale
3. Project Number:	241616
4. Permit Number:	ENRE00874209
5. Premises/Site Address:	901 Pimpama Jacobs Well Road and
6. ERA No.:	16(1C), 16(3a), 16(3b) Behind Road,
7. Risk Level (1-5 with 1 being lowest)	2 JACOBS WELL
8. File Number:	SOL113337 (BST 885)

Checks against Completed Annual Return with Ecotrack only (shaded tasks performed by IST)	Yes	No	N/A
1. Ensure contact details are correct in Ecotrack. (ABN/ACN, name, addresses, phone nos. etc)	☒	☐	☐
2. Ensure local government is entered.	☒	☐	☐
3. Ensure site street address is entered.	☒	☐	☐
4. For ERA 57 Regulated Waste Transport ensure vehicle details are up-to-date.	☐	☒	☐
5. Ensure the annual return Status is correct and that the next annual return entry has populated. (Invoice No. 378426 Receipt No. 4151558 Date 29.8.12)	☒	☐	☐
6. Ensure a signed copy of the Registration Certificate and Development Approval or Environmental Authority is attached in Ecotrack.	☒	☐	☐
7. Ensure Lot on Plan details are correct (check in a mapping system e.g. SMIS, QTime). (If different update Ecotrack if appropriate and print out hard copy to attach to this checklist)	☒	☐	☐
8. For ERA 63-(2a) fee exempt STP's ensure the Fee Exempt tick box is ticked and still applies.	☐	☒	☐
9. Ensure the Office Responsible is correct. If required, change in both permit and application screens.	☒	☐	☐
10. Does annual return state they are in compliance?	☒	☐	☐
11. Have questions on monitoring indicated that if required it has been done?	☒	☐	☐
12. For Very High and High risk sites is monitoring required?	☐	☐	☒
13. Are there any complaint or compliance issues recorded in Ecotrack for return period?	☒	☐	☐
14. Date of last recorded inspection 6.7.12 Inspection due? NO	☐	☐	☐
15. Ensure the agency delegate is current (local office manager).	☒	☐	☐
16. Mining Leases only – Check the plan of operations in the Permit Data tab within Plan Details.	☐	☐	☒

Refer to the "Checklist Instructions" for more detailed information.

Is Manager required to determine if full assessment of annual return or inspection is needed? (Yes if any of the shaded boxes are ticked)	Yes ☐	No ☒
---	------------------------------	--

Relevant comments from Ecotrack

Other comments

Claire is currently working on this one
(file on your desk)

Sam Spence

Name

sch4 - Personal information

Signature

16.1.13

Date

Further actions required by an Environmental Officer:

☐ Full Assessment of Annual Return ☐ Inspection ☒ No further action

Managers Signature

sch4 - Personal information

Date: 16.01.13

File No: **BST885v7**

BST2012/1726

C1919099

29-Aug-2012



RECEIVED / REGISTERED
Dept of Environment and Heritage Protection
Gold Coast

16 JAN 2013

File #: **SOR113337**
Item #: **1976101**

Environmental Protection Act 1994

Registration Certificate

OFFICIAL USE ONLY

DATE RECEIVED

29 | 8 | 12

FILE REF

BST885v7

PROJECT REF

241616/2012

COMPLETE FORM



ADMINISTERING REGION

Gold Coast

ENTERED BY (SIGNATURE)

Sam Carter

DATE

06 | 09 | 2012

Important information for holders of a Registration Certificate

This form must be completed and submitted to the administering authority each year by the holder of a Registration Certificate and submitted with the appropriate payment under the *Environmental Protection Act 1994*.

For help in completing this form please refer to the **Guidance Notes** on the left of each page or if you have any questions about this annual return or any supporting information required please contact Permit and Licence Management on 1300 130 372.

The completed Annual Return is to be sent to: Permit and Licence Management, Implementation and Support Unit, Department of Environment and Heritage Protection, GPO Box 2454, Brisbane Qld 4001.

RECEIVED

29 AUG 2012

FOLM

Annual Return details for 09 Sep 2011 to 08 Sep 2012

GUIDANCE NOTES

List the full names of the holders of the Registration Certificate. Where there is more than one please list all.

Minor changes, such as change of name after marriage, can be made as an amendment by agreement. A change of name and a change in ABN/ACN will require an application to amend the Registration Certificate.

Please contact Permit and Licence Management on 1300 130 372 for more information.

1. Registration Certificate Holders Name

NAME(S):

Waragap Holdings Pty Ltd
Trading as Wholesale Sands

2. Registration Certificate Number

NUMBER(S):

ENRE00874209

Annual Return
Registration Certificate

Where there is more than one holder, all joint holders may appoint one holder as the principal holder to act on behalf of them all. The appointment may be made by giving written confirmation signed by all the holders of the Registration Certificate. Please update contact details if incorrect by crossing out the details and printing the correct details beneath or on an attached sheet of paper.

3. Principal holder

NAME OR NAME OF COMPANY AND CONTACT PERSON: Waragap Holdings Pty Ltd Trading as Wholesale Sands	
REGISTERED BUSINESS ADDRESS: Suite 1, 86 Mount Eliza Way MOUNT ELIZA VIC 3930	
FULL POSTAL ADDRESS (WHERE DIFFERENT): 1754 Jacobs Well Road JACOBS WELL QLD 4208	
TELEPHONE: 07 5546 1454	FACSIMILE: 07 5546 1644
MOBILE TELEPHONE:	EMAIL: wholesale.sands@bigpond.com

Please update details if incorrect by crossing out the details and printing the correct details beneath or on an attached sheet of paper.

4. Contact Person (where applicable)

NAME: Mr Stanley Laming	
POSITION AND COMPANY: Waragap Holdings Pty Ltd	
FULL POSTAL ADDRESS: 1756 Jacobs Well Road JACOBS WELL QLD 4208	
TELEPHONE: 07 5546 1454	FACSIMILE: 07 5546 1644
MOBILE TELEPHONE: sch4 - Personal in	EMAIL: wholesalesands@bigpond.com

**Annual Return
Registration Certificate**

5. Do you have a copy of the Development Approval/s or Code of Environmental Compliance to which your Registration Certificate applies?

☒ YES

☐ NO

6. Have any of the activities on your Registration Certificate altered since the time it was issued?

☐ YES

→ Your Development Approval and Registration Certificate may need to be amended. Contact Permit and Licence Management for advice.

☒ NO

7. Does your Registration Certificate include an activity with an aggregate environmental score?

☐ YES

→ Go to question 8.

☒ NO

→ Go to question 9.

8. Are you claiming a reduced annual fee under sections 121-127 of the Environmental Protection Regulation 2008?

☐ YES

→ A reduced annual fee cannot be claimed unless *Appendix A - Claiming a reduced annual fee* is completed. Please complete Appendix A and return it together with this annual return form.

☒ NO

For details of the eligibility criteria please refer to the information sheet *Paying a reduced annual fee* which is available from the department's website

NOTE: The reduced annual fee does not apply if the annual return and fees are not submitted by the due date or if there is no aggregate environmental score.

Registration Certificate

Section 320 of the EP Act imposes a duty on the holder of a Registration Certificate to report serious or material environmental harm caused or threatened in the carrying out of an activity unless that harm is specifically authorised under a Development Approval or Code of Environmental Compliance.

Please do not submit an annual report, required by a condition of an DA or Code of Environmental Compliance, with this annual return. Annual reports are to be stored for viewing upon request.

Monitoring data that has been submitted electronically to the Point Source Data Base in accordance with a written agreement with the department does not need to be resubmitted.

All reports must be held in the same place and be available for inspection by the administering authority during business hours. You must forward the reports on request or when the Registration Certificate has been surrendered or cancelled.

9. Since your last annual return, have you fully complied with the conditions of your Development Approval or Code of Environmental Compliance and your general environmental duty?

☒ YES

☐ NO → For each condition of the DA or Code of Environmental Compliance with which the holder has not complied, please attach the following

- a) a statement of whether or not the non-compliance/incident has been previously reported;
- b) a statement describing the non-compliance/incident including photographs where appropriate;
- c) a statement describing the environmental impacts resulting from the non-compliance/incident;
- d) a statement describing the actions taken to repair any damage to the environment resulting from the non-compliance/incident

☐ Tick to indicate that the required statements are attached

10. Does a condition of your Development Approval or Code of Environmental Compliance require you to carry out any monitoring and/or prepare reports on the activities for which you hold a Registration Certificate?

☒ YES

☐ NO → Go to question 15.

11. Do you provide reports directly to the point source database?

☒ YES → Go to question 16, if no other monitoring is required to be undertaken.

☐ NO

12. Has all of the necessary environmental monitoring been carried out and all the reports prepared in accordance with your Development Approval or Code of Environmental Compliance?

☐ YES

☐ NO → Provide details below explaining why this has not occurred. If you require more space, attach additional information.

Annual Return
Registration Certificate

13. Please provide details of the titles of all the monitory data compiled and the reports prepared since your last annual return. Please provide details of where the monitoring data and reports are kept.

Table 1 List of Monitoring data required

NATURE OF REPORT AND /OR MONITORING	PREPARED BY	LOCATION OF REPORT	DATES COVERED

Please do not submit the report(s) with this annual return - fill out the information below. If you require more space, attach additional information.

14. Has the monitoring that has been carried out shown any exceedance of the environmental limits set in the conditions of your Development Approval or Code of Environmental Compliance?

- ☐ YES → Please attach a copy of the notification of the exceedance that you gave to the administering authority.
- ☒ NO

15. Is this return for ERA 57 - Regulated waste transport?

- ☐ YES → Go to Question 16.
- ☒ NO → Go to Question 18.

Registration Certificate

16. Have the details of your waste vehicles changed from the list provided in the Annual Notice?

- ☐ YES → Complete table below including the details of all vehicles to be covered by this Registration Certificate. Attach additional information if required.
- ☒ NO

Table 2 - Waste Vehicle Details

Status - existing, new, removed	Type of vehicle e.g. tanker, truck	Make of vehicle	Year of manufacture	Vehicle registration number

Note: ERA 57 - Regulated waste transport contains three thresholds, 57-(2a), 57-(2b) and 57-(2c). These thresholds represent the number of vehicles that a holder of a Registration Certificate may operate and the annual fees change according to the threshold. If the number of vehicles listed on your Registration Certificate falls above or below your listed activity you are required to amend your Registration Certificate.

The fees payable are: ERA Threshold 57-(2a) Regulated waste transport 1 to 5 vehicles \$1545.6, 57-(2b) Regulated waste transport 6 to 35 vehicles \$4636.8, 57-(2c) Regulated waste transport > 36 vehicles \$9273.6

17. The fee for ERA 57 - Regulated waste transport is based on the number of vehicles on your Registration Certificate. If you increase or decrease the number of vehicles, this may result in a change to the fee payable. Where a change in the number of vehicles has changed the ERA threshold which applies, your Registration Certificate will be amended. Please tick the boxes below to signify your agreement to this action being taken by the administering authority on the basis of the information you have provided in this annual return.

- ☐ I agree to amendments to my Registration Certificate to reflect the change in accordance with the number of vehicles listed in this return and understand that this may change my obligations under the Code of Environmental Compliance.
- ☐ I have paid a reduced/increased fee for the coming year in accordance with the number of vehicles listed in this return.

**Annual Return
Registration Certificate**

Please read carefully through the declaration before signing.

Under section 480 of the EP Act, it is an offence to knowingly give the administering authority information that is false, misleading or incomplete in any material particular.

18. Declaration

- I / We, being the holders identified at Section 1, acknowledge that all information supplied on or with this application form may be made available upon request, subject to the provisions of the *Right to Information Act 2009* and the *Evidence Act 1977*.
- I am the holder or the appointed signatory for the Registration Certificate.
- I am aware that under section 480 of the *Environmental Protection Act 1994*, it is an offence to knowingly give the administering authority information that I know is false, misleading or incomplete in any material particular.
- I have supplied all of the required information.

SIGNATURE:

sch4 - Personal information

NAME OF SIGNATORY:

STANLEY BEVAN LAMING

POSITION OF SIGNATORY(IE DIRECTOR, MANAGER, OWNER, PARTNER, CEO ETC):

DIRECTOR.

DATE:

Please return your completed annual return to:

**Permit and Licence Management
Implementation and Support Unit
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane Queensland 4001
Enquiries: 1300 130 372
Facsimile: (07) 3896 3342
E-mail: palm@ehp.qld.gov.au**

Registration Certificate

Appendix A: Claiming a reduced Annual Fee

This appendix is to be used to claim a reduced annual fee under sections 121-127 of the *Environmental Protection Regulation 2008* and is to be attached to the annual return for a Registration Certificate or Environmental Authority (the authority). Refer to the *Information Sheet: Paying a reduced annual fee* for details of the eligibility criteria for claiming a reduced annual fee and the information to accompany the annual return before completing this appendix.

1. Eligibility for a reduced annual fee

I am eligible to claim a reduced annual fee as I meet all the following:

- ☐ in the 3 years immediately before this annual return and fee is due (or for the duration of the authority if it is less than 3 years old), no compliance action event (see section 3) has occurred for this authority;
- ☐ the ERA has an aggregate environmental score (AES);
- ☐ the ERA is administered by the Department of Environment and Heritage Protection (EHP);
- ☐ the reduced annual fee will be paid by the due date;
- ☐ the annual return will be completed and submitted by the due date;
- ☐ I am eligible under one or more of the criteria in section 2; and
- ☐ I have attached the documentation required in section 2.

2. Criteria for the reduced annual fee claimed

I am claiming a reduced annual fee for the following criteria and have attached the documents as required:

☒ Approved partner (ecoBiz) - 10% discount

- ☐ a copy of the letter from EHP confirming status as an ecoBiz partner.

☒ Approved environmental management system (EMS) - 20% discount

- ☐ I operate under an EMS certified by an accredited body as being compliant with AS/NZ ISO: 14001: 2004 Environmental Management Systems.
- ☐ I have included a statutory declaration, completed by an appropriately qualified person (see section 4), verifying that-
 - All the activities carried out under this Registration Certificate were carried out in accordance with the prescribed EMS last year; and
 - I am complying with the conditions of the authority.

Receipt No 4149399
Date 29/8/12
Amount \$ 9715-20
Type CHO EFT CSH CRDT
Cheque No 008095
Cheque Drawer Wholesale
Sands Jacobs Well
Initials DL