

160 Ann Street • Brisbane, Queensland • PO Box 155 • BRISBANE ALBERT STREET QLD 4001 • AUSTRALIA
Telephone (07) 3227 6422 • Facsimile (07) 3227 7677 • www.env.qld.gov.au

Enquiries Kim Barry
Telephone 3227 8264
Your reference
Our reference 901257

27 April 2000

sch4p4(6) Personal in

Planning & Environment Manager
Gladstone Port Authority
PO Box 259
GLADSTONE QLD 4680

Dear Mr Bowley,

Re: Gladstone Port Authority land Lot 278 on CTN 1394 and Lot 279 on CTN 2068

- Waraluck Limited Murphy Ore Site, Gladstone Remediation Report
- Radiation Assessment Murphy Ores Pond Site

I refer to your previous correspondence, letter dated 13 December 1999 and the above reports.

Lot 279 on CTN 2068 is not listed on the Environmental Management Register. There has been insufficient information provided to list the site on *the Environmental Management Register* (EMR). However, should information become available that the site is affected by a hazardous contaminant or has been used for a notifiable activity, it must be notified to the EPA within 30 days according to the requirements of the *Environmental Protection Act 1994*.

The Environmental Protection Agency has considered the above letter and previously submitted report and pursuant to section 118R of the *Environmental Protection Act 1994*, the Agency advises that the land parcel Lot 278 on CTN 1394 will remain listed on the Environmental Management Register (EMR).

Pursuant to section 118S of the *Environmental Protection Act 1994* (EP Act), the following information is required to assist with assessment of health and environmental issues associated with the site described in the above report dated .
Lot 278 on plan CTN 1394 will remain on the Environmental Management Register until sufficient work is conducted to satisfactorily address the following points and sufficient remediation and validation has been completed:

1. Undertake a site history investigation in accordance with the *Appendix 7: Technical guidelines for site assessment, remediation and report preparation* (page 32) of the *Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland May 1998*.
2. Comment on the source of any imported fill. Please refer to page 34 of the *Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland May 1998* with respect to sampling requirements for imported fill.
3. Comment on the likelihood of fuel pipes across the site.
4. Provide details of the geology of the site.
5. Comment on the depth, expected flow rate and direction of flow of the groundwater.

The response to the above request for information must be submitted in accordance with the EP Act. It should be noted that further questions may arise as a result responses to the above.

Should you have any queries in relation to the above , please do not hesitate to contact Kim Barry on 227 8264.

Yours sincerely

sch4p4(6) Personal infor

Greg O'Brien
Chief Scientific Advisor
Contaminated Land Unit



GLADSTONE PORT AUTHORITY

13 December 1999

Hazardous Wastes & Contaminated Sites Section
Environment Protection Agency
PO Box 155
ALBERT ST. BRISBANE Q 4002

Dear Sir

LOT 279 - CTN 1394 - MURPHYORES POND SITES

I refer to previous correspondence and reports dated 3 February 1999 and 9 March 1999 in respect of the above.

The Authority has commissioned Connell Wagner to carry out an investigation of this site to answer the outstanding questions. A copy of this report is attached. It shows that the site is not contaminated.

In view of this, could you please remove this site from the Register.

Yours faithfully

sch4p4(6) Personal information

PLANNING AND ENVIRONMENT MANAGER

Enc

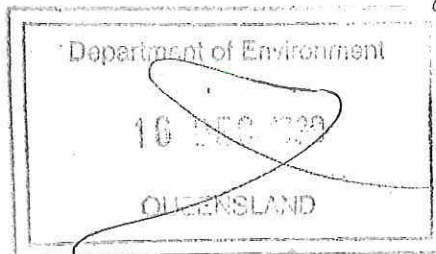
CONTAMINATED
LAND SECTION
17 DEC 1999

Refer To: 2/125 NGB:JS
Mr Bowley

Your Reference:

COPY

original sent
to rad health



99 / 463



GLADSTONE PORT AUTHORITY

3 February 1999

Ms Kim Barry
Senior Environmental Officer
Contaminated Sites Section
Environment Protection Agency
PO Box 155
BRISBANE ALBERT STREET Q 4001

Dear Madam

LOTS 278 & 279 CTN 1394

I refer to previous correspondence in respect of the above and apologise for the delay in getting back to you, partly caused by the correspondence you referenced, being to BHP Coal rather than Gladstone Port Authority (GPA).

GPA wishes to use the area of Lot 279 for a rail embankment, settlement ponds for the coal terminal and landscaped areas, as shown on the attached sketch.

I have obtained the HLA-Envirosciences Report and collated it with the site history and the Akber & Todd Report. A copy is attached.

You have advised that you liaise with Mr Wallace at Radiation Health in respect of sites which involve mineral sands. Could you please carry out this liaising and advise the situation for us to carry out the proposed works.

I await your advices.

Yours faithfully

sch4p4(6) Personal information

PLANNING AND ENVIRONMENT MANAGER

Encs

Attn Vince
2 pages

C/SITES

Refer To:

16/2 NGB:MH
Mr Bowley

Your Reference:



160 Ann Street • Brisbane, Queensland • PO Box 155 • BRISBANE ALBERT STREET QLD 4001 • AUSTRALIA
Telephone (07) 3227 6422 • Facsimile (07) 3227 7677 • www.env.qld.gov.au

Enquiries Kim Barry
Telephone 3227 8264
Your reference 2/125 NGB:JS
Our reference 901257

~~9 March 1999~~

7 April 2002 filed - original

sch4p4(6) Personal inform

Planning & Environment Manager
Gladstone Port Authority
PO Box 259
GLADSTONE QLD 4680

Dear Mr Bowley

**RE Application for Assessment of a Site Investigation Report - Murphyores
Pond Sites (Lot 279 CTN 1394)**

I refer to the above information, received by the Environmental Protection Agency
(EPA) Contaminated Land Unit (CLU) in December 1999.

The report has been forwarded to Queensland Radiation Health Environmental Health
Unit for their assessment. Attached is a copy of their response. Lot 278 on CTN 1394
will remain on the Environmental Management Register without a change in status.

Yours sincerely

sch4p4(6) Personal information

Kim Barry
Senior Environmental Officer
Contaminated Land Unit



GLADSTONE PORT AUTHORITY

2 February 2000

Environmental Officer
Contaminated Land Unit
Hazardous Wastes & Contaminated Sites Section
Environmental Protection Agency
PO Box 155
ALBERT ST BRISBANE Q 4002

ATTENTION Louise Gilshenan

Dear Louise

LOT 279 - CTN 1394 - MURPHYORES POND SITES

I resubmit the Report by Connell Wagner on the investigation of the above site.

As requested in your letter of 20 January 2000, I have attached herewith the Statutory Declaration by the Investigator and Report Preparer – Neil Proposch. Details of Mr Proposchi's qualifications and experience are also attached.

Yours faithfully

sch4p4(6) Personal information

PLANNING AND ENVIRONMENT MANAGER

Enc

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

Enquiries
Telephone
Your reference
Our reference

Louise Gilshenan
07 3247 3278

20 January 2000

sch4p4(6) Personal informa

Planning & Environment Manager
Gladstone Port Authority
PO Box 259
GLADSTONE QLD 4680

Dear Mr Bowley

**RE: Application for Assessment of a Site Investigation Report - Murphys
Pond Sites (Lot 279 CTN1394)**

I refer to the above information, received by the Contaminated Land Unit (CLU) of the Environmental Protection Agency (EPA) on 17 December 1999.

This information is being returned because it does not meet the requirements of contaminated land legislation for submission of site investigation reports. Such applications must be made in accordance with relevant provisions of the *Environmental Protection Act 1994*, and meet requirements detailed in the *Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland*.

As per previous telephone conversations between yourself and Kim Barry, and our conversation on 12 January 2000, the following additional information must be supplied to facilitate assessment of your application.

- A Statutory Declaration from both the investigator and report preparer (this may be the same person). This must be written as per the attached example, and signed by an investigator who has skills and qualifications relevant to the investigation (as approved by the EPA), and by a registered Justice of the Peace / Commissioner for Declarations.

To date, this information has not been received by the EPA. You may wish to resubmit this report when all information is available.

Should you have any queries in relation to the above, please do not hesitate to contact the undersigned on (07) 3247 3278.

Yours sincerely

sch4p4(6) Personal information

Louise Gilshenan
**Environmental Officer
Contaminated Land Unit**



Refer To: 2/125 NGB:JS
Mr Bowley

Your Reference:

GLADSTONE PORT AUTHORITY

13 December 1999

Hazardous Wastes & Contaminated Sites Section
Environment Protection Agency
PO Box 155
ALBERT ST. BRISBANE Q 4002



Dear Sir

LOT 279 – CTN 1394 – MURPHYORES POND SITES

I refer to previous correspondence and reports dated 3 February 1999 and 9 March 1999 in respect of the above.

The Authority has commissioned Connell Wagner to carry out an investigation of this site to answer the outstanding questions. A copy of this report is attached. It shows that the site is not contaminated.

In view of this, could you please remove this site from the Register.

Yours faithfully

sch4p4(6) Personal information

PLANNING AND ENVIRONMENT MANAGER

Enc

*Requested Stat Dec 12/1/00.
(Kim B. has spoken to
Noel about this previously).
Advised that I would
hold this until Wed 19/1/00
then if hadn't received
would return.*

sch4p4(6) Perso



GLADSTONE PORT AUTHORITY

13 December 1999

Hazardous Wastes & Contaminated Sites Section
Environment Protection Agency
PO Box 155
ALBERT ST. BRISBANE Q 4002

Dear Sir

LOT 279 - CTN 1394 - MURPHYORES POND SITES

I refer to previous correspondence and reports dated 3 February 1999 and 9 March 1999 in respect of the above.

The Authority has commissioned Connell Wagner to carry out an investigation of this site to answer the outstanding questions. A copy of this report is attached. It shows that the site is not contaminated.

In view of this, could you please remove this site from the Register.

Yours faithfully

sch4p4(6) Personal information

PLANNING AND ENVIRONMENT MANAGER

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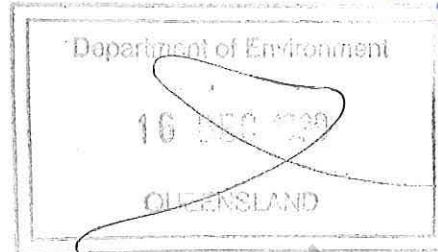
CONTAMINATED
LAND SECTION
17 DEC 1999

Refer To: 2/125 NGB:JS
sch4p4(6) Perso

Your Reference:

COPY

*original sent
to rad health*



99/ 463

PO Box 155 Brisbane Albert Street, Brisbane, QLD 4002

Enquiries to Kim Barry
Telephone (07) 3227 8264 (fax (07) 3227 7677)
Your reference 16/2 NGB:MH
Our reference 901257

9 March, 1999

sch4p4(6) Personal informatio

Gladstone Port Authority
PO Box 259
GLADSTONE QLD 4680

Dear sch4p4(6) Personal

Re: Lots 278 & 279 CTN 1394

I refer to our telephone conversation of today and correspondence from Mr Noel Bowley dated 3 February 1999.

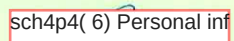
Your report has been forwarded to Queensland Radiation Health for their assessment of all issues concerning radiation. The report does not however meet the requirements of the new contaminated land legislation for submission of reports which commenced on 6 July 1998. As per our discussion on the 3 February 1999, neither the Environmental Protection Agency nor Queensland Radiation Health are unable to process this report without the following:

- Inclusion of a statutory declaration signed by the applicant (as stated on the application form).
- The statutory fee of \$500 as only \$400 was paid when the first report was submitted.
- All issues raised in Department of Environment & Heritage correspondence dated 19 April 1996 must also be addressed.

I have included a copy of the Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland and a copy of the above mentioned letter for your reference.

 Should you have any further queries, please contact the above officer.

Yours sincerely

sch4p4(6) Personal inf

Kim Barry
Senior Environmental Officer
Hazardous Wastes and Contaminated Sites Section

Published on DESI Disclosure Log
RTI Act 2009

From: sch4p4(6) Per
To: PALM
Cc: Cathee Miller
Subject: EA EPPR00667712 Surrender Documentation
Date: Tuesday, 1 December 2015 12:26:06 PM
Attachments: 15089_EPPR00667713 Compliance Statement_Nov 2015_Rev 0.pdf
20151201121540777.pdf
imagef6dd24.PNG

Good Afternoon

Please find enclosed the Smit Marine Australia Pty Ltd request to surrender EA Ref: EPPR00667713, given the relocation to our new premises at Alf O'Rourke Drive, Callemondah (operated under EA EPPR02650014).

Please contact sch4p4(6) Person p: 07 4971 2914 or e: sch4p4(6) Person f: smitlamnalco.com), or Cathee Miller of CQG Consulting on p: sch4p4(6) Person r e: sch4p4(6) Person @cqgroup.com.au, if you require any further information from us, or should you require the attached information to be sent through in hard copy.

Yours sincerely
SMIT MARINE AUST P/L REPRESENTATIVE DETAILS

Kind Regards,

sch4p4(6) Pe



sch4p4(6) Perso
Management Support Team

M
sch4p4(smitlamnalco.com

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The leading provider of integrated marine services

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Warning:

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ENVIRONMENTAL AUTHORITY EPPR00204413 COMPLIANCE STATEMENT

The Smit Marine Australia Pty Ltd (SMA) tug boat operations involve the operation of environmentally relevant activity (ERA) 56 (formerly ERA 84b): Regulated waste storage, for storage of tug boat bilge oil in a land-based tank for off-site treatment and / or disposal.

The ERA operated under environmental authority Ref: EPPR00667713 (as per the conditions of the former Development Application (DA) Ref: IPCE01276908 dated 16 December 2008) on Gladstone Ports Corporation (GPC) leased lands on Part Lot 300 on Plan SP120920, abutting Part Lot 302 on Plan SP13278, on MacFarlane Road in Gladstone Port Central from approximately January 2011 to June 2015.

On 23 June 2015, SMA fully relocated their tug boat operations to new premises at 231 Alf O'Rourke Drive, Callemondah. A new EA was sought and granted for ERA 56 on these lands (also under the control of GPC) – comprising Part of Lot 210 on Plan SP120888, abutting Lot 212 Plan SP239707, as defined in *Schedule 1 - Approved Plans, Plan of Lease MAAG in Lot 210 on SP120888* (EA Ref: EPPR02650014 dated 2 December 2014).

Given the facilities at MacFarlane Road are no longer required, and as part of the GPC lease termination requirements, SMA are seeking to surrender EA Ref: EPPR00667713 prior to the Annual Return date of 16 December 2015.

SMA engaged CQG Consulting (CQG) to prepare the surrender documentation including the compliance statement as required by Section 6 of the "Application for surrender of an environmental authority – prescribed environmentally relevant activity" form. This report presents the results of a limited desktop review (documentation provided by SMA and / or already in CQG possession) and / or interviews conducted with representatives from SMA in November 2015, as referenced.

No rehabilitation conditions are specified in the EA, therefore, no such conditions have been assessed.

Cond. No.	Condition	Compliance	Comments
Compliance Options: N = Non-conformance; M = Minor non-conformance; C = Compliant; N/V = Not Verified; N/A = Not applicable			
Schedule A – General Conditions			
A1	Prevent and/or Minimise Likelihood of Environmental Harm In carrying out the environmentally relevant activities (ERA), the holder of this approval must take all reasonable and practicable measures to prevent and/or to minimise environmental harm. Any environmentally relevant activity must be carried out in a way that does not cause environmental harm.	C	SMA engaged Leighton O'Brien Field Services Pty Ltd (LOB) to conduct the following: <ul style="list-style-type: none"> An integrity test (wet static) of the tank and its associated lines – the LOB <i>UPSS Precision Test Report</i> (dated 29 October 2015) notes the tank passed this test. <i>NB: other tests noted on the report (wet pressure test and ullage tests) are not applicable as these tests can only be performed on underground tanks; and</i> A "fit for purpose" check against the AS1940 standard – the LOB <i>AST Inspection Report</i> (dated 29 October 2015) reported that the tank was in good condition, but needed minor repairs to bring into full compliance with AS1940 (refer to response to condition D2 for further details). It is noted that the tank has not been in use since the tug base moved premises to Alf O'Rourke Drive (bilge oil facility at those premises licenced under EA Ref: EPPR02650014), although the tank was refilled for the purpose of the above test with water removed again thereafter – refer to

Cond. No.	Condition	Compliance	Comments
Compliance Options: N = Non-conformance; M = Minor non-conformance; C = Compliant; N/V = Not Verified; N/A = Not applicable			
			response to condition F4. Refer to the full LOB reports at Attachment A .
A2	Maintenance of measures, plant and equipment The holder of this approval must: <ul style="list-style-type: none"> a) Install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and b) Maintain such measures, plant and equipment in a proper and efficient operating condition; and c) Operate such measures, plant and equipment in a proper and efficient manner. 	C	Refer to response to condition A1.
A3	Records The holder of this development approval must record, compile and keep the results of all monitoring required by this approval, and provide that information in a form specified by the administering authority, when required to by the administering authority.	C	No environmental monitoring is required by this EA. Refer to waste records viewed at condition F4. SMA advises that no emergencies, incidents or complaints have been reported at the site – refer to response to conditions G1 and G2.
A4	Site Based Management Plan From commencement of this development approval, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of actual or potential environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for its regular review and 'continuous improvement' in the environmental performance of the activities that are carried out on the site. The SBMP must address the following matters: <ul style="list-style-type: none"> a) Identification of environmental issues and potential impacts; b) Environmental commitments – a commitment by the holder of this approval to achieve specified and relevant environmental goals; 	C	The CQG (October 2012) <i>Smit Marine Australia – Gladstone: Third Party Compliance Audit</i> noted that the SMA "Written Plan for the Implementation of an Environmental Management Plan" Revision 2 dated 15 September 2010 was prepared before commencement of operations on 1 January 2011. The CQG (October 2012) <i>Smit Marine Australia – Gladstone: Third Party Compliance Audit</i> further noted that the SBMP fulfilled the requirements of the condition, but suggested the following improvements: <ul style="list-style-type: none"> • The current SBMP should be updated to include EHP Pollution Hotline as a necessary contact for emergencies / incidents; • SBMP updating current details and elimination of those which are no longer applicable to SMA's current situation (e.g. the improvement of the containment at the bilge water valve and metre is not applicable at this stage as the Operations Manager advised that SMA will transfer their site operation within 12 to 18 months); and

Cond. No.	Condition	Compliance	Comments
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	c) Control measures for routine operations to minimise likelihood of environmental harm; d) Contingency plans and emergency procedures for non-routine situations to prevent and minimise environmental harm; e) Organisational structure showing how responsibility for environmental management is accounted for in the organisation; f) An effective communication system for environmental management goals, control measures and contingency plans; g) The regular and emergency monitoring of contaminant releases; h) The conduct of environmental impact assessments; i) Staff training in environmental management policies and practices; j) Record keeping; and k) Periodic review of environmental performance and continual improvement.		<ul style="list-style-type: none"> SMA will require a new DA for a Material Change of Use (MCU) before relocation of site operation and as a result, a new SBMP will be required; this will include a new Stormwater and Waste Management Plans that will be relevant to the new site operations. <p>The MCU and EA (Ref: EPPR02650014) have since been approved for the new tug base site (231 Alf O'Rourke Drive, Callemondah on Part of Lot 210 on Plan SP120888, abutting Lot 212 Plan SP239707), with a Draft SBMP for this site provided to GPC and via MyDAS (Ref: SDA-1014-015501) for concurrence agency (i.e. EHP) response on 31 October 2014 as part of the MCU and EA application process for the new operation.</p>
A5	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.	N/A	Activities ceased on site on 23 June 2015, when operations were fully moved to the current Alf O'Rourke Drive premises.
A6	Third Party Environmental Auditing Compliance with the conditions of this development approval, and with the requirements of the site based management plan required in A(4) must be independently audited within (3) months of commencement of this approval.	N	CQG conducted a third party environmental audit in October 2012. The audit noted this was 20 months after commencement in January 2011. This non-compliance was reported to EHP in the CQG (October 2012) <i>Smit Marine Australia – Gladstone: Third Party Compliance Audit</i> .
A7	The audit(s) required by condition (A6) must be conducted by a suitably qualified third party auditor, nominated in writing by the holder of the development approval and accepted by the administering authority.	C	An email from Peter Warner of SMA to Aimee Maxwell of EHP (dated 26 September 2012) was sighted, requesting confirmation that CQG was accepted as the third party auditor. The CQG (October 2012) <i>Smit Marine Australia – Gladstone: Third Party Compliance Audit</i> noted that CQG was accepted by EHP to conduct the third party audit.
A8	For the audit(s) required by condition (A6) the holder of this development approval must ensure that the auditor submits a final auditor's report directly to the administering authority within 28 days of completing the on-site audit.	C	The following emails were sighted: <ul style="list-style-type: none"> An email from Peter Warner of SMA to Aimee Maxwell of EHP (dated 30 October 2012, i.e. within 28 days of the on-site audit conducted on 10 October 2012), attaching the CQG (October 2012) <i>Smit Marine Australia – Gladstone: Third Party Compliance Audit</i>; and A response from Aimee Maxwell of EHP dated 31 October 2012 noting receipt of

Cond. No.	Condition	Compliance	Comments
Compliance Options: N = Non-conformance; M = Minor non-conformance; C = Compliant; N/V = Not Verified; N/A = Not applicable			
			the audit report and that a letter of response to the audit report would be sent. No EHP letter response was viewed as part of the preparation of this compliance statement.
A9	Monitoring A competent person must conduct any monitoring required by this development approval.	C	No environmental monitoring is required by this EA. Integrity and “fit for purpose” assessments were undertaken by tank testing specialists (LOB) on 29 October 2015 – refer to response to condition A1, reports at Attachment A and LOB’s website at http://www.leightonobrien.com/ for capability statements.
A10	Equipment Calibration All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.	N/A	No measuring or monitoring requiring instrumentation is specified by this EA. Refer also to response to condition A1.
Schedule B – Air			
B1	Nuisance The release of noxious or offensive odours or any noxious or offensive airborne contaminant resulting from the activity must not cause a nuisance at any nuisance sensitive or commercial place.	C	Activities ceased on site on 23 June 2015, when operations were fully moved to the current Alf O’Rourke Drive premises. It is noted that the site is located in the Gladstone Port Central Area, over 900 metres away from residences. SMA advised CQG that no complaints have been received regarding the site operations.
B2	The release of dust and/or particulate matter resulting from ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.	C	The site is completely sealed, there is no opportunity for dust generation to occur during normal operations.
B3	Dust Control All sealed traffic areas must be cleaned as necessary to prevent or minimise the release of dust and particulate matter to the atmosphere.	N/A	Activities ceased on site on 23 June 2015, when operations were fully moved to the current Alf O’Rourke Drive premises.
B4	Watering of unsealed roads must be carried out so as to prevent or minimise the release of dust and particulate matter to the atmosphere.	N/A	There are no unsealed roads on-site.

Cond. No.	Condition	Compliance	Comments
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Schedule C – Water			
C1	There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.	C	<p>Activities ceased on site on 23 June 2015, when operations were fully moved to the current Alf O'Rourke Drive premises.</p> <p>Bilge water was stored in a bunded tank at MacFarlane Road – see Attachment A and response to condition D2. Refer to response to conditions C2, relating to stormwater management, and G2, relating to emergencies / incidents.</p> <p>Parker Liquid Waste removed the oily water (working under licence EPSX00661613) to NQ Resource Recovery in Yarwun (licence ENRE00247504B21) – refer to response to condition F4.</p>
C2	<p>Stormwater Management Plan</p> <p>A Stormwater Management Plan must be prepared and implemented for the site. The Stormwater Management Plan must address at least the following:</p> <ul style="list-style-type: none"> Prevention of incident storm water and storm water run-off from contacting wastes or contaminants; Diversion of upstream run-off away from areas where it may be contaminated by bulk products being loaded or unloaded, wastes, contaminants or other materials; Collection, treatment and disposal of all contaminated storm water run-off. 	C	<p>A non-compliance against this condition was recorded in the CQG (October 2012) <i>Smit Marine Australia – Gladstone: Third Party Compliance Audit</i>, with an additional recommendation (<i>SMA should modify and improve the current stormwater management procedure AGL-4546.6 to represent the site Stormwater Management Plan</i>) also made.</p> <p>Subsequent to this, the CQG (November 2012) <i>Smit Marine Australia – Gladstone: Stormwater Management Plan</i> was prepared for the site to meet the requirements of this condition.</p> <p>Refer also to response to condition A4.</p>
Schedule D- Land			
D1	<p>Preventing Contaminant Release to Land</p> <p>Contaminants must not be released to land.</p>	C	As per response to condition C1.
D2	<p>Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.</p> <p>Note: All petroleum product storage's must be designed, constructed and maintained in accordance with AS1940- Storage and Handling of Flammable and combustible Liquids.</p>	M	<p>As per response to condition C1.</p> <p>Refer also to LOB <i>AST Inspection Report</i> (dated 29 October 2015) at Attachment A advising of minor deviations from AS1940 as follows:</p> <ul style="list-style-type: none"> The tank inlet be labelled with the tank number and the product;

Cond. No.	Condition	Compliance	Comments
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			<ul style="list-style-type: none"> The bunded area be kept clear of debris and rubbish; The pipelines be labelled with the product name; Firefighting equipment be placed on site; and Consideration be given to complying with a one metre crest locus limit <p>Given SMA no longer operate the facility, the LOB report has been provided to GPC for such considerations to be made by any future operators of the infrastructure (who will also need to apply for their own EA).</p>
Schedule E – Noise			
E1	Noise from the activities must not cause an environmental nuisance at any noise affected premises.	C	Refer to response to condition B1.
Schedule F – Waste			
F1	From the commencement of activities authorised by this development approval, the holder of this development approval must implement a waste management plan for the activities authorised by this development approval.	C	Waste management procedures AGL-4546.2 (dated 1 August 2008), covering land-based operations, and AGL-4477.12 (dated 1 August 2008), covering marine-based (i.e. tug boat operations), were sighted.
F2	Waste generated in the carrying out of the activities must be stored, handled and transferred in a proper and efficient manner. Waste must not be released to the environment, stored, transferred or disposed contrary to any condition of this development approval.	C	<p>Activities ceased on site on 23 June 2015, when operations were fully moved to the current Alf O'Rourke Drive premises.</p> <p>Refer also to response to conditions A1, D2, F1 and F4.</p>
F3	The holder of this development approval must comply with the “ <i>Best Practice Guidelines for Waste Reception Facilities at Ports, Marinas and Boat Harbours in Australia and New Zealand</i> ”, (ANZECC 1997) or more recent versions.	NV	<p>The guidelines were not reviewed – refer to response to condition F2 relating to waste management on site.</p> <p>It is noted that procedure AGL-4477.12, referred to in response to condition F1, refers to the International Convention for the Prevention of Pollution from Ships (MARPOL) requirements and those of Queensland legislation: <i>Transport Operations (Marine Pollution) Act 1995</i> and <i>Transport Operations (Marine Pollution) Regulation 2008</i>.</p>
F4	Regulated waste, if removed from the site, must only be reprocessed, recycled, stored, incinerated or disposed at a licensed regulated waste facility.	C	Parker Liquid Waste removed the oily water (working under licence EPSX00661613) to NQ Resource Recovery in Yarwun (licence ENRE00247504B21) as sighted by the following

Cond. No.	Condition	Compliance	Comments
Compliance Options: N = Non-conformance; M = Minor non-conformance; C = Compliant; N/V = Not Verified; N/A = Not applicable			
			Waste Transport Certificates: <ul style="list-style-type: none"> Q01038850 – dated 23/6/2015 for 5,000 litres (removal following SMA operations ceasing on the MacFarlane Road site and fully relocating to Alf O'Rourke Drive under EA Ref: EPPR02650014); and Q01074146 – dated 17/11/2015 for 7,000 litres (removal following LOB wet static integrity test – refer to response to condition A1). Refer also to response to condition F1.
F5	Notification of Improper Disposal of Regulated Waste If the holder of this development approval becomes aware that a person has removed regulated waste from the licensed place and disposed of the regulated waste in such a manner which is not authorised by this development approval or improper or unlawful, then the holder of this development approval must, as soon as practicable, notify the administering authority of all the relevant facts, matters and circumstances known concerning the disposal.	N/A	SMA advised that there had been no such incidents.
Schedule G – Monitoring			
G1	Complaint Response All complaints received must be recorded including details of complainant, reasons for the complaint, investigations undertaken, conclusions formed and actions taken. Except in cases where the complaint is considered to be a matter for which the holder is in compliance, is frivolous, vexatious, based on a mistaken belief or not relevant to the ERA's, the holder must act as soon as practicable to investigate the cause and resolve the complaint.	N/A	SMA advised that there had been no complaints received in relation to site operations. Refer also to response to conditions A3, B1 and E1.

Cond. No.	Condition	Compliance	Comments
Compliance Options: N = Non-conformance; M = Minor non-conformance; C = Compliant; N/V = Not Verified; N/A = Not applicable			
G2	Notification of Emergencies and Incidents As soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants or mismanagement of waste not in accordance, or reasonably expected to be not in accordance with the conditions of this authority, the holder must notify the administering authority of the release by telephone, facsimile or electronic mail.	N/A	SMA advised that there had been no emergencies / incidents on the site. Refer also to response to conditions A3 and F5.
G3	The Notification of emergencies or incidents must include but not limited to the following: <ul style="list-style-type: none"> a) The holder of the development approval; b) the location of the emergency or incident; c) the number of the development approval; d) the name and telephone number of the designated contact person; e) the time of the release/mismanagement incident; f) the time the holder became aware of the release/mismanagement incident; g) the suspected cause of the release/mismanagement incident; and h) Actions taken to prevent further any release and mitigate any environmental harm caused by the release/mismanagement incident. <p>Note: Any relevant notification given under Section 320 or Section 350 of the Environmental Protection Act that includes the information required by this condition is also an emergency/incident notification under this authority.</p>	N/A	SMA advised that there had been no emergencies / incidents on the site. The CQG (October 2012) <i>Smit Marine Australia – Gladstone: Third Party Compliance Audit</i> noted that the provisions for reporting as required by conditions G3 and G4 are found in the ST-4445-1.2 Smit Terminal Emergency Response Interface Procedure Manual (Rev. 2010), but noted the following improvement suggestion: <i>EHP should be included in the emergency contacts of the SBMP, and the contact information should be checked for currency specifically the pollution hotline; including a contact officer and their direct number. EHP should also be included in the sub-text of the emergency procedure flowchart as a necessary contact.</i> This recommendation has been captured in the new site SBMP (refer also to response to condition A4).
G4	Not more than (14) days following the initial notification of an emergency or incident, the holder of this authority must provide written advice of the information previously supplied (unless already supplied in writing) and in addition, the following: <ul style="list-style-type: none"> a) Proposed actions to prevent a recurrence of the emergency or incident; and b) Outcomes of actions taken at the time to prevent or minimise environmental harm and/or environmental nuisance. 	N/A	Refer to response to condition G3.

Cond. No.	Condition	Compliance	Comments
Compliance Options: N = Non-conformance; M = Minor non-conformance; C = Compliant; N/V = Not Verified; N/A = Not applicable			
G5	Exception Reporting The holder of this development approval must notify the administering authority within seven (7) days of completion of analysis of any result of a monitoring program required by a condition of this development approval that indicates an exceedance of any limit specified in this approval.	N/A	No environmental monitoring program is required by this EA.
G6	The written notification must include: <ul style="list-style-type: none"> a) The full analysis results; b) details of investigation or corrective actions taken; and c) Any subsequent analysis. Note: Any relevant notification given under Section 320 or Section 350 of the Act that contains the information specified in this condition is also an exception reporting notification under this authority.	N/A	As per response to conditions G2 and G5.
G7	Annual Return The holder must ensure that the results of all monitoring performed in accordance with this development approval for the period covered by the Annual Return is provided to the administering authority on request.	N/A	No environmental monitoring program is required by this EA.

Common abbreviations used:

CQG: CQG Consulting (registered trading name: CQ Environmental Pty Ltd)
DA: Development Application
EA: Environmental Authority
EHP: Department of Environmental and Heritage Protection
ERA: Environmentally Relevant Activity
GPC: Gladstone Ports Corporation
LOB: Leighton O'Brien Field Services Pty Ltd
MCU: Material Change of Use
SBMP: Site Based Management Plan
SMA: Smit Marine Australia Pty Ltd

Limitations

This report presents the results of a limited desktop review and / or interviews conducted with representatives from Smit Marine Australia Pty Ltd in November 2015, as referenced, for the purpose of Smit Marine Australia Pty Ltd within the context of Compliance Statement required at Section 6 of the “*Application for surrender of an environmental authority – prescribed environmentally relevant activity*” form (for issue to the Department of Environmental and Heritage Protection only) related to the bilge water storage tank on Gladstone Ports Corporation (GPC) leased lands (part Lot 300 on Plan SP120920 and Part Lot 302 on SP13278 on MacFarlane Road, Gladstone Port Central, EA EPPR00667713). CQG accepts no liability or responsibility whatsoever for, or in respect of, any use of, or reliance upon, this report or the findings, conclusions or recommendations presented therein by any third party.

CQG has prepared this report in accordance with the usual care and thoroughness of the consulting profession, for the sole purpose described above and by reference to applicable standards, guidelines, procedures and practices at the date of issue of this report. No other warranty or guarantee, whether expressed or implied, is made as to the data, observations and findings expressed in this report, to the extent permitted by law.

This report does not give legal advice on the actual or potential environmental liabilities of any individual or organisation, nor does it draw conclusions as to whether any particular circumstances constitute a breach of legislation.

In preparing this report, CQG has relied upon, and presumed true, correct and complete, any information (or confirmation of the absence thereof) provided by Smit Marine Australia Pty Ltd and / or from other sources, including those available in the public domain (where such information has been referenced within the report). If the information is subsequently determined to be false, inaccurate or incomplete then observations and conclusions as expressed in this report may change.

No review of compliance beyond that stipulated in the audit documentation has occurred.

No site inspection, sampling, analysis or monitoring was conducted as part of this review.

This report should be read in full and no excerpts are to be taken as representative of the findings. No responsibility is accepted by CQG for use of any part of this report in any other context.

Reviewer's declaration

I, Cathee Miller, Principal Environmental Scientist with CQG Consulting,

- Make the compliance statement on behalf of the holder of the environmental authority.
- Confirm that, to the best of my knowledge, all information provided as part of this compliance statement, including attachments, addresses the relevant matters and is true, correct, complete and does not contain misleading information.
- Have not knowingly failed to reveal any relevant information or document to the administering authority.
- Confirm that the opinions expressed in this compliance statement, including attachments, are honestly and reasonably held.
- Am aware that it is an offence under section 480 of the *Environmental Protection Act 1994*, to give the administering authority information that I know is false, misleading or incomplete.
- Understand that all information supplied as part of this compliance statement, including attachments, can be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

sch4p4(6) Personal information

Cathee Miller (Environmental Principal Auditor)
B Sc (Env), M Sc (Env), Grad Cert Proj & Prog Mgmt
Certified Environmental Principal Auditor (Exemplar Global, No. 114619)
cathee.miller@cqgroup.com.au

27 November 2015

Trading as: CQG Consulting
Registered Business Name: CQ Environmental Pty Ltd
ABN: 61 107 574 514

Attachment A: LOB Tank Assessment Reports (dated 29 October 2015)

Attachment B: Cathee Miller CV

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RTI Act 2009

Attachment A:
Leighton O'Brien Field Services Pty Ltd Report

Published on DESI Disclosure Log
RTI Act 2009

Attachment B:
Auditor CV

Application form

Environmental Protection Act 1994

Application for surrender of an environmental authority – Prescribed environmentally relevant activity

This approved form is to only be used for applications requesting the surrender of an environmental authority for a prescribed ERA (listed in Schedule 2 of the Environmental Protection Regulation 2008) under sections 257 to 264 of the Environmental Protection Act 1994 (EP Act).

Only the holder of an environmental authority can apply to surrender the environmental authority.

You should read the information about surrendering an environmental authority available at www.business.qld.gov.au.

If your environmental authority contains rehabilitation conditions and you have carried out the activity (i.e. on-ground disturbance has occurred), you must submit a rehabilitation report. The rehabilitation report must be in the approved form available at on the business and industry portal (BIP) in the following location <http://www.business.qld.gov.au/business/running/environment/licences-permits/forms-fees-environmental-authority>.

If you would like advice about surrendering your environmental authority before lodging this form, you can arrange a pre-lodgement meeting with government officers:

- For prescribed environmentally relevant activities (ERAs) 2, 3 and 4—contact the Department of Agriculture and Fisheries by email at livestockregulator@daf.qld.gov.au.
- For any other ERA—please fill out and lodge the form Application for a Pre-Design/Pre-Lodgement Meeting (EM1125¹) which is available on the departments website at http://www.ehp.qld.gov.au/licences-permits/predesign_conferencing.html.

Note: You cannot “partially surrender” a prescribed ERA even if it is authorised as part of a project that includes a number of ERA’s. If you want to reduce the number of ERAs on your environmental authority you will need to make an amendment application instead (EM847).

If you are currently subject to a compliance action you should contact the office who initiated the compliance action for further details about how this might affect the assessment of your surrender application.

¹ This is the publication number. The publication number can be used as a search term to find the latest version of a publication at www.qld.gov.au.

Application form

Application for surrender of an environmental authority for a prescribed ERA

1. Applicant details

The environmental authority number and details are on the existing environmental authority or quoted in other correspondence from the administering authority.

If more space is required for any responses, please attach additional information as a separate page or pages.

If there is an agent acting on behalf of the environmental authority holder, provide details in this section. An agent could be a consultant or a contact for the environmental authority holder.

As statutory documents need to be sent to all applicants, this section can also be used when there are multiple environmental authority holders to nominate an address for statutory documentation to be sent 'care of' to.

Environmental Authority Number
EPPR00667713
Environmental Authority Holder's Names/s
Smit Marine Australia Pty Ltd

Agent details/address for service

The address supplied here will also be used as a service address for sending statutory documents.

Individual or Business Name (include trading name if relevant)		
Smit Marine Australia Pty Ltd		
Residential Address or Registered Business Address (Not a Post Office Box Address)		
c/- Boskalis Australia Pty Ltd		
'Tower A Zenith Centre'		
Level 8, 821 Pacific Highway		
CHATSWOOD NSW 2067		
Postal Address (If Different From Above)		
PO Box 1944		
GLADSTONE QLD 4680		
Contact Person		
sch4p4(6) Personal infor		
Phone	Email	Facsimile
07 4971 2901	sch4p4(6)@smitlamnalco.com	07 4971 2914

2. Environmental management register or contaminated land registers

The Environmental Management Register (EMR) and Contaminated Land Register (CMLR) are land-use planning and management registers. Information about the registers and how to search them is available at: <http://www.ehp.qld.gov.au/land/contaminated-land/#emr>

Is any part of the land currently recorded in, or previously been recorded in, the environmental management register or contaminated land registers?

Application for surrender of an environmental authority for a prescribed ERA

☒ Yes	Complete the table below and if any response is 'yes', provide the additional details requested.
☐ No	

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Application for surrender of an environmental authority for a prescribed ERA

Please tick relevant boxes	Yes	No	Additional details
Has the land been removed from the environmental management register or contaminated land register?	☐	☒	If yes is ticked, you must attach evidence (e.g. a notice) advising that details have been removed from the environmental management register
Has a site management plan been approved for the land?	☐	☒	If yes is ticked, attach a copy of the site management plan.

3. Other statutory requirements

Statutory tools are used (generally as a last resort) to respond to breaches of legislative requirements. The range of options available under the Environmental Protection Act provides for proportionate enforcement action. For more information see: <http://www.ehp.qld.gov.au/management/compliance/pdf/era-compliance-enforcement.pdf>

Is the environmental authority, or the part of the environmental authority that is to be surrendered, currently subject to any of the statutory requirements under the EP Act (listed in table below)?	
☐ Yes	Complete the table below.
☒ No	

Please Tick Relevant Boxes	Yes	No
Transitional environmental program	☐	☐
Environmental protection order	☐	☐
Environmental evaluation	☐	☐
Prosecution proceedings	☐	☐
Other (please specify):	☐	☐
Other requirements:		

4. Status of activities

Have you (or a previous holder/s where there has been a transfer of the environmental authority) disturbed any part of the area to which this surrender application applies*?
☒ Yes. Please provide further details in the table below.
☐ No. Go to question 6. *Note: You may answer 'No' if activities have not commenced, or because the activity

Application for surrender of an environmental authority for a prescribed ERA

is at an early stage involving planning and design without the operation progressing any further.

5. Rehabilitation conditions

The final rehabilitation report must be completed in the correct template and contain all the information specified in the template. The final rehabilitation report template is available at www.business.gov.au using 'forms and fees for environmental authorities' as a search term.

Does your environmental authority contain any rehabilitation conditions?

☐ Yes. You must attach a final rehabilitation report unless a final rehabilitation report has already been submitted.

☒ No.

6. Compliance statement

This compliance statement must be completed by, or on behalf of the environmental authority holder.

The following information **must** be provided and forms part of your compliance statement. You may choose to provide this information as an attachment to this application form if you prefer.

Please note: If you are unsure of the extent to which the EA conditions have been complied with, or the final rehabilitation report is accurate you may need to seek professional advice. **It is an offence to give the administering authority information that is false, misleading or incomplete.**

Reference to the extent to which the final rehabilitation report is accurate is not required where no report is attached because your environmental authority does not contain any rehabilitation conditions or disturbance has not occurred. Please include the date of the final rehabilitation report if attached.

Examples of the methods to verify compliance may include a desktop assessment of documentation, an interview with the landowner/holder or a field operator or a site inspection. Evidence used may include photographs, statements and other documentation (maps, plans, approvals, monitoring results etc.).

The information has been included as a separate attachment.

☒ Yes

☐ No

Have the activities carried out under the environmental authority complied with its conditions? If not, provide details.

SEE ATTACHED CQG CONSULTING (NOVEMBER 2015) ENVIRONMENTAL AUTHORITY EPPR00204413 COMPLIANCE STATEMENT FOR DETAILS.

Is the final rehabilitation report accurate? If not provide details.

N/A - no rehabilitation conditions are specified in the EA.

Application for surrender of an environmental authority for a prescribed ERA

How has compliance and accuracy been verified (provide information about the date, site, method and evidence used)?

See attached CQG Consulting (November 2015) Environmental Authority EPPR00204413 Compliance Statement for details.

I, Cathee Miller (Principal Environmental Scientist with CQG Consulting - Exemplar Global
Environmental Principal
Auditor No. 114619) ,

(insert name and position of person making the compliance statement)

- Make the compliance statement by or for the holder of the environmental authority.
- Confirm that, to the best of my knowledge all information provided as part of this compliance statement, including attachments, addresses the relevant matters and is true, correct, complete, and does not contain misleading information.
- Have not knowingly failed to reveal any relevant information or document to the administering authority.
- Confirm that the opinions expressed in this compliance statement, including attachments, are honestly and reasonably held.
- Am aware that it is an offence under section 480 of the *Environmental Protection Act 1994*, to give the administering authority information that I know is false, misleading or incomplete.
- Understand that all information supplied as part of this compliance statement, including attachments, can be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

Signature	<div style="border: 1px solid red; padding: 2px;">sch4p4(6) Personal info</div>
Date 27 November 2015	
Contact number of the person signing the compliance statement	
M:	<div style="border: 1px solid red; padding: 2px;">sch4p4(6) Personal</div>

7. Financial Assurance

You may apply to amend or discharge your financial assurance using the form Application to Amend or Discharge Financial Assurance (EM875). This form is available at www.qld.gov.au using the publication number (EM875) as a search term.

Application for surrender of an environmental authority for a prescribed ERA

Do you currently have any financial assurance held as part of the approved environmental authority?

- ☐ Yes. If you want to apply to amend or discharge your financial assurance, you may lodge an Application to Amend or Discharge Financial Assurance (EM875) with this application.
- ☒ No.

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Application for surrender of an environmental authority for a prescribed ERA

8. Applicant declaration

Where there is more than 1 holder of the environmental authority, this declaration is to be signed by all holders, unless there is an agreement between all holders that one can sign on behalf of the other. If only 1 holder is signing this application form, they are committing all holders to the content of the application and the declaration.

Where the environmental authority holder is a company, this form must be signed by an authorised person for that company.

Where an agreement is in place between all holders of the environmental authority, that 1 holder can sign on behalf of the other joint holders, please tick the checkbox below.

☒ I have the authority to sign this form on behalf of all the joint holders of the environmental authority.

Note: If you have not told the truth in this application you may be prosecuted.

I declare that:

- I am the holder of the environmental authority, or authorised signatory for the holder of the environmental authority.
- The information provided is true and correct to the best of my knowledge. I understand that it is an offence under section 480 of the *Environmental Protection Act 1994* to give to the administering authority or an authorised person a document containing information that I know is false, misleading or incomplete in a material particular.
- I understand that failure to provide sufficient information may result in the application being refused. I understand that an incomplete application may be invalid. Invalid applications will be returned without processing and will only be processed if resubmitted with all invalidating issues addressed.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.
- Where 'No' is ticked in question 4, that the approved ERAs have not been carried out (no on-ground disturbance has occurred).

Applicants name Frederik Rutgers	
Applicants signature 	Sch4p4(6) Personal information
Position of signatory CONTRACTS MANAGER	Date 01-12-2015
Joint holders name (if applicable)	Joint holders signature (if applicable)

Application form

Application for surrender of an environmental authority for a prescribed ERA

Joint holders name (if applicable)	Joint holders signature (if applicable)
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Applicant checklist

- ☒ Application form has been signed and completed.
- ☐ Question **Error! Reference source not found.**: details of any land recorded on the environmental management register (if required).
- ☐ Question 5: final rehabilitation report has been attached (if applicable).
- ☒ Question 6: the compliance statement has been signed and completed and any documentation describing compliance has been attached.

Further information

The latest version of this publication and other publications referenced in this document can be found at www.qld.gov.au using the relevant publication number (EM1299 for this document) as a search term.

Privacy statement

The Departments of Environment and Heritage Protection and Agriculture and Fisheries are collecting the information on this form to process your application for surrender or partial surrender of an environmental authority. This collection is authorised under sections 257 to 264 of the *Environmental Protection Act 1994*. Your personal information will only be accessed by authorised employees within these departments and will not be disclosed to any other parties unless authorised or required by law. For queries about privacy matters email: PrivacyandEthicsUnit@ehp.qld.gov.au or telephone: (07) 3330 6270.

Submit your completed application to:

For ERA 2, ERA 3 or ERA 4

Post:

Senior Environmental Scientist
Animal Industries
Department of Agriculture and Fisheries
PO Box 102
TOOWOOMBA QLD 4350

Enquiries:

Phone: (07) 4688 1374
Fax: (07) 4688 1192
Email: livestockregulator@daf.qld.gov.au

For all other ERAs

Post:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001

Courier or hand delivery:

Permit and Licence Management
Department of Environment and Heritage Protection
Level 3, 400 George Street
BRISBANE QLD 4000
Hours: 8.30am–4.30pm business days

Further Information:

www.business.qld.gov.au
Email: palm@ehp.qld.gov.au
Phone: 13 QGOV (13 74 68)



Valuations Administration

LUCKEG(1)

Property - 3360 : Property 40135700 NV A

Walk By : Delay Execution

Summary

Property

LG

Use

Summary

Property Id : 40135700

Property Type : NON-VALUED

LG/Div : (3360) GLADSTONE REGIONAL

SMA : (200) NON VALUED

Walk the Road : 738/1

Previous Reference : 21008844

Property Address : MACFARLAN DVE, BARNEY POINT QLD 4680

Owner (VOLA) : GLADSTONE PORTS CORPORATION LIMITED

Service Address : PO BOX 259, GLADSTONE DC QLD 4680

RPD : PTZZ L420 SP120919 & PTZZ L300 SP272314:PAR GLADSTONE

Area : 115.744 HA

Volume : 0 M3

Primary L/Use : (39) HARBOUR INDUSTRIES

Secondary L/Use : (0) NONE

As Valued L/Use : (0) NONE

Sale Date : Sale Price : Sale Type :



Department of Environment and Heritage Protection (EHP)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
Email: emr.clr.registry@ehp.qld.gov.au

11 January 2016

Site ID: 141383
File Number: 101/17270
Enquiries to: emr.clr.registry@ehp.qld.gov.au

Gladstone Ports Corporation Limited
PO Box 259
GLADSTONE DC QLD 4680

SHOW CAUSE NOTICE TO OWNER OF LAND - PROPOSAL TO INCLUDE PARTICULARS OF LAND ON THE ENVIRONMENTAL MANAGEMENT REGISTER

In accordance with section 375 of the *Environmental Protection Act 1994 (EP Act)* notice is given that particulars of the parcel of land described below are proposed for inclusion on the Environmental Management Register (EMR).

Lot: 300 Plan: SP272314
Gladstone Regional Council

MACFARLAN DRIVE
BARNEY POINT QLD 4680

The Department of Environment and Heritage Protection (EHP) believes grounds exist for including particulars of the parcel of land on the EMR because notification has been received that the land has been used for the following notifiable activities or contaminated by the following hazardous contaminants. Notifiable activities are mainly industrial/commercial activities that have been known to cause contamination of land and refer to both past and current activities.

MINERAL PROCESSING - chemically or physically extracting or processing metalliferous ores. While sites are listed on the EMR using the lot and plan description, a mining lease may affect only a limited area of the lot. In many instances with rural properties, only a small area may be potentially affected by the mining activities and the ongoing landuse is unaffected. More detailed information relating to the location of the mining activities may be held by the Department of Environment and Heritage Protection or the Department of Natural Resources and Mines.

- Linked to Original base Parcel – Lot 196 CTN1619 - Mineral Processing.

WASTE STORAGE, TREATMENT OR DISPOSAL - storing, treating, reprocessing or disposing of regulated waste (other than at the place it is generated), including operating a nightsoil disposal site or sewage treatment plant where the site or plant has a design capacity that is more than the equivalent of 50, 000 persons having sludge drying beds or on-site disposal facilities.

- Surrender of EA EPPR00667713, permitted ERA56 - Regulated Waste Storage.

HAZARDOUS CONTAMINANT - This site has been subject to a hazardous contaminant. Refer to the summary given below.

- Linked to Original Base Parcel - Lot 278 on CTN1394 - Hazardous Contaminant -Flue Dust Compounds.

If an investigation of the land has been conducted and EHP holds a copy of a report prepared about the investigation, a copy of the report is attached.

As the owner of the land you may make a submission about why particulars of the land should not be included on the EMR. Submissions must be accompanied by a written declaration by the owner that the owner:

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

Submissions must be received no later than Monday, 15 February 2016.

After this date, if no submission has been received from the owner, particulars of the land will be recorded on the EMR. However, if you wish the particulars to be recorded earlier, you may advise in writing that you do not intend to make a submission.

With the issuing of this show cause notice under section 375, the following requirement applies under section 408 of the *EP Act*:

The owner must before agreeing to dispose of the land to someone else (the buyer), give written notice to the buyer stating that the land is the subject of a show cause notice under section 375.

For further information about contaminated land matters visit www.qld.gov.au, and search for "contaminated land".

sch4p4(6) Personal information

Allen Johns
A/Manager – (Assessment) Industry & Development
BRISBANE

Delegate of Administering Authority
Environmental Protection Act 1994

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 22537354

Search Date: 05/01/2016 10:16

Title Reference: 51016631

Date Created: 04/12/2015

Previous Title: 40071159

REGISTERED OWNER

Dealing No: 716932347 04/12/2015

GLADSTONE PORTS CORPORATION LIMITED A.C.N. 131 965 896

ESTATE AND LAND

Estate in Fee Simple

LOT 300 SURVEY PLAN 272314
Local Government: GLADSTONE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40024122 (Lot 300 on SP 120920)
2. LEASE No 703958891 27/03/2000 at 15:52
BORAL GAS [NSW] PTY LTD
OVER PART OF THE WITHIN LAND
3. LEASE No 703958904 27/03/2000 at 15:54
I.C.I. AUSTRALIA OPERATIONS PTY. LTD.
OVER PART OF THE WITHIN LAND
4. LEASE No 704763713 16/05/2001 at 12:40
GLADSTONE TUG SERVICES PTY LIMITED A.C.N. 001 472 019
OVER LEASE APB ON SP132784
5. AMENDMENT OF LEASE No 711953412 30/09/2008 at 11:26
LEASE: 704763713
TERM: 1/07/2000 TO 30/06/2010 OPTION NIL
6. TRANSFER No 711953418 30/09/2008 at 11:26
LEASE: 704763713
SVITZER AUSTRALIA PTY LTD A.C.N. 000 045 009
7. LEASE No 712214618 11/02/2009 at 11:29
QUEENSLAND RAIL
OF LEASE BPG ON SP169969
TERM: 1/10/2000 TO 30/09/2025 OPTION NIL
8. LEASE No 712427162 22/05/2009 at 12:57
ORIGIN ENERGY LPG LTD A.B.N. 77 000 508 369
OF LEASE APE ON SP199258
TERM: 01/01/2007 TO 31/12/2016 OPTION 2 X 5 YEARS

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 22537354

Search Date: 05/01/2016 10:16

Title Reference: 51016631

Date Created: 04/12/2015

EASEMENTS, ENCUMBRANCES AND INTERESTS

9. LEASE No 712571616 06/07/2009 at 09:59
TASMANIA MINES LIMITED A.C.N. 009 491 990
OF LEASE APF ON SP207297
TERM: 01/06/2008 TO 31/05/2018 OPTION 5 YEARS
10. EASEMENT IN GROSS No 713463897 15/09/2010 at 09:17
burdening the land
ERGON ENERGY CORPORATION LIMITED A.C.N. 087 646 062
over
EASEMENT A ON SP238412
11. LEASE No 713501838 06/10/2010 at 10:21
NSS PORT LOGISTICS PTY LTD A.C.N. 143 663 629
LEASE API ON SP 235956
TERM: 01/09/2010 TO 31/08/2025 OPTION 2 X 5 YEARS
12. MORTGAGE No 715971704 25/08/2014 at 10:55
WESTPAC BANKING CORPORATION A.B.N. 33 007 457 141
over
LEASE: 713501838
13. EASEMENT IN GROSS No 714133446 27/10/2011 at 16:27
burdening the land
ERGON ENERGY CORPORATION LIMITED A.C.N. 087 646 062
over
EASEMENT B ON SP245946
14. LEASE No 715131824 11/06/2013 at 10:53
PATRICK STEVEDORING PTY LTD A.B.N. 44 007 427 652
OF LEASE APG ON SP235942 AND
LEASES APK AND APL ON SP252995
TERM: 01/04/2011 TO 31/03/2021 OPTION 5 YEARS

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
713903066	DSI/OFFSET	14/06/2011 11:07	CURRENT

LAND VALUATION ACT 2010

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: SMIS .



Department of Environment and Heritage Protection (EHP)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
Email: emr.clr.registry@ehp.qld.gov.au

22 February 2016

Site ID: 141383
File Number: 101/0017270
Enquiries to: emr.clr.registry@ehp.qld.gov.au

The Chief Executive Officer
Gladstone Regional Council
PO Box 29
GLADSTONE QLD 4680

NOTICE OF LAND LISTED ON THE ENVIRONMENTAL MANAGEMENT REGISTER

In accordance with section 378 of the *Environmental Protection Act 1994 (EP Act)* notice is given that the parcel of land described below has been listed on the Environmental Management Register (EMR).

Lot: 300 Plan: SP272314
MACFARLAN DRIVE
BARNEY POINT QLD 4680

The parcel of land has been recorded on the EMR as, after careful consideration of any submissions, it is decided that the land has been, or is being used, for notifiable activities. Notifiable activities are mainly industrial/commercial activities that have been known to cause contamination of land and refer to both past and current activities.

MINERAL PROCESSING
WASTE STORAGE, TREATMENT OR DISPOSAL
HAZARDOUS CONTAMINANT

Linked to Original Base Parcels - Lot 278 on CTN1394 - Hazardous Contaminant -Flue Dust Compounds.196 CTN1619 - Mineral Processing.
Surrender of EA EPPR00667713, permitted ERA56 - Regulated Waste Storage.

For further information about contaminated land matters visit www.qld.gov.au, and search for "contaminated land".

sch4p4(6) Personal inform

Kelly Gleeson
Manager – (Assessment) Industry & Development
BRISBANE

Delegate of Administering Authority
Environmental Protection Act 1994



Department of Environment and Heritage Protection (EHP)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
Email: emr.clr.registry@ehp.qld.gov.au

22 February 2016

Site ID: 141383
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GLADSTONE PORTS CORPORATION LIMITED
PO BOX 259
GLADSTONE DC QLD 4680

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In accordance with section 378 of the *Environmental Protection Act 1994 (EP Act)* notice is given that the parcel of land described below has been listed on the Environmental Management Register (EMR).

Lot: 300 Plan: SP272314
Gladstone Regional Council

MACFARLAN DRIVE
BARNEY POINT QLD 4680

The parcel of land has been recorded on the EMR as, after careful consideration of any submissions, it is decided that the land has been, or is being used, for notifiable activities. Notifiable activities are mainly industrial/commercial activities that have been known to cause contamination of land and refer to both past and current activities.

MINERAL PROCESSING - chemically or physically extracting or processing metalliferous ores.

While sites are listed on the EMR using the lot and plan description, a mining lease may affect only a limited area of the lot. In many instances with rural properties, only a small area may be potentially affected by the mining activities and the ongoing landuse is unaffected. More detailed information relating to the location of the mining activities may be held by the Department of Environment and Heritage Protection or the Department of Natural Resources and Mines.

WASTE STORAGE, TREATMENT OR DISPOSAL - storing, treating, reprocessing or disposing of regulated waste (other than at the place it is generated), including operating a nightsoil disposal site or sewage treatment plant where the site or plant has a design capacity that is more than the equivalent of 50,000 persons having sludge drying beds or on-site disposal facilities.

HAZARDOUS CONTAMINANT - This site has been subject to a hazardous contaminant. Refer to the summary given below.

Linked to Original Base Parcels - Lot 278 on CTN1394 - Hazardous Contaminant -Flue Dust Compounds.196 CTN1619 - Mineral Processing.

Surrender of EA EPPR00667713, permitted ERA56 - Regulated Waste Storage.

The owner may apply for a review of the decision to record the land in the EMR within 10 business days after receipt of this notice, in accordance with section 521 of the *EP Act*. If you decide to apply for a review you must, in accordance with section 521(3), also give notice to the local government that you are seeking a

review. You must forward to the local government the following documents:

- a notice of the application (the "review notice");
- a copy of the application and supporting documents.

The review notice must inform the local government that submissions on the application may be made within 5 business days after the application is made to the Department of Environment and Heritage Protection, as required by section 521(4) of the *EP Act*. A land owner dissatisfied with a review decision may appeal against the decision in accordance with section 531 of the *EP Act*.

In accordance with the land being recorded on the EMR, the following requirements apply under section 408 of the *EP Act*.

The owner must before agreeing to dispose of the land to someone else (the buyer), give written notice to the buyer stating that the particulars of the land have been recorded in the register and, if details of a site management plan for the land are recorded in the register, details of the plan.

For further information about contaminated land matters visit www.qld.gov.au, and search for "contaminated land".

sch4p4(6) Personal info

Kelly Gleeson
Manager – (Assessment) Industry & Development
BRISBANE

Delegate of Administering Authority
Environmental Protection Act 1994

Registered Site - Show Site

Reg Site

Comments

Amend Log

Categ. Hist

Show Docs

Comments

Create Date	User Id	Corr No	Officer Name	Date Final	How Finalised
11/01/16 9:29:31	LUCKEG				
REPRINT NOTICES					
11/01/16 8:49:51	LUCKEG		JOHNSA		
21/12/2015 WACLA REVIEW OF SURRENDERED EA EPPR00667713 (SMIT MARINE AUSTRALIA PTY LTD) RELATING TO ERA56 REGULATED WASTE STORAGE. CHECKS PERFORMED DURING PROCESSING OF APPLICATION CONFIRMED SITE TO BE INCLUDED ON EMR FOR NA-WASTE STORAGE, TREATMENT OR DISPOSAL.					
22/02/16 2:00:31	FRANCIK				
CHANGED FROM UNVALIDATED TO NOTIFIABLE ACTIVITY AS NO REPRESENTATIONS WERE RECEIVED FROM THE SHOW CAUSE NOTICE DUE DATE OF 15/2/2016					

EMR/CLR Environmental Management Register and Contaminated Land Register

1.7.8

Registered Site - Show Site

Reg Site	Comments	Amend Log	Categ. Hist	Hist. Repos	New Parcels	Show Docs
Lot: 278	Plan: CTN1394	Category: PRO	CSR Cont Site ID: 161-31240			
Local Authority: GLADSTONE CITY	Entry Date: 16/03/1994					
Site Name: CHEMICAL SPILL GLADSTONE	MR Alter Date: 04/06/1998					
Location Street: MURPHY ORE SITE, HOPPER ROAD	Prescribed Purpose: CHEMICAL SPILLS					
Location Suburb: GLADSTONE QLD	Post Code: 4680					
Owner Address: GLADSTONE PORT AUTHORITY	Contsite File: 901257	Officer: NIL				
PO BOX 259	Current Use: 3518	Past Use: 3518				
GLADSTONE	DNR Parcel Status: C	Contaminant: UNK				
QLD	Prev Lot No: 278					
Post Code: 4680	Prev Plan No: CTN1394					
	Zoning: SPE	Area: 4059696				
	UXO Region:	Cont Grid Water: U				
Comments:	INFORMATION PROVIDED BY sch4p4(6) Personal information FEEZ RUTHNING/SLLEAKAGE OF COMPARATIVELY SMALL QUANTITY OF FLUE-DUST WHICH MAY CONTAIN 6% ARSENIC AND/OR ITS COMPOUNDS ONTO SMALL PORTION OF LAND AND ADJACENT ROAD VERGE.// LETTER FROM DEPARTMENT OF ENVIRONMENT AND HERITAGE TO GLADSTONE PORT AUTHORITY - FILE 901257 - THE AREA WHERE THE FLUE DUST WAS					
Rec Status:	Deleted Reason:					
Deleted Date:						

EMR/CLR Environmental Management Register and Contaminated Land Register

1.7.8

Registered Site - Show Site

Reg Site	Comments	Amend Log	Categ. Hist	Hist. Repos	New Parcels	Show Docs
<p>Lot: <input type="text" value="278"/> Plan: <input type="text" value="CTN1394"/></p> <p>Local Authority: <input type="text" value="GLADSTONE CITY"/></p> <p>Site Name: <input type="text" value="CHEMICAL SPILL GLADSTONE"/></p> <p>Location Street: <input type="text" value="MURPHY ORE SITE, HOPPER ROAD"/></p> <p>Location Suburb: <input type="text" value="GLADSTONE QLD"/> Post Code: <input type="text" value="4680"/></p> <p>Owner Address: <input type="text" value="GLADSTONE PORT AUTHORITY"/></p> <p><input type="text" value="PO BOX 259"/></p> <p><input type="text" value="GLADSTONE"/></p> <p><input type="text" value="QLD"/></p> <p><input type="text" value=""/> Post Code: <input type="text" value="4680"/></p>	<p>Category: <input type="text" value="PRO"/> CSR Cont Site ID: <input type="text" value="161-31240"/></p> <p>Entry Date: <input type="text" value="16/03/1994"/></p> <p>MR Alter Date: <input type="text" value="04/06/1998"/></p> <p>Prescribed Purpose: <input type="text" value="CHEMICAL SPILLS"/></p> <p>Contsite File: <input type="text" value="901257"/> Officer: <input type="text" value="NIL"/></p> <p>Current Use: <input type="text" value="3518"/> Past Use: <input type="text" value="3518"/></p> <p>DNR Parcel Status: <input type="text" value="C"/> Contaminant: <input type="text" value="UNK"/></p> <p>Prev Lot No: <input type="text" value="278"/></p> <p>Prev Plan No: <input type="text" value="CTN1394"/></p> <p>Zoning: <input type="text" value="SPE"/> Area: <input type="text" value="4059696"/></p> <p>UXO Region: <input type="text" value=""/> Cont Grid Water: <input type="text" value="U"/></p>	<p>Comments: <input type="text" value="AND HERITAGE TO GLADSTONE PORT AUTHORITY - FILE 901257 - THE AREA WHERE THE FLUE DUST WAS SPILT HAS BEEN CLEANED UP TO LEVELS SUITABLE FOR INDUSTRIAL USE (BASED ON REPORT FROM ENVIRONMENTAL AND LICENSING PROFESSIONALS PTY LTD DATED JANUARY 1995).-04/01/1995-DOH.//K.BARRY ADVISED 3/6/98-SITE BE TRANSFERRED TO HAZARDOUS CONTAMINANT.4/6/98.SB//"/></p>				
<p>Rec Status: <input type="text" value=""/></p> <p>Deleted Date: <input type="text" value=""/></p>	<p>Deleted Reason: <input type="text" value=""/></p>					

1.7.8

Reg Site

Comments

Amend Log

Categ. Hist

Hist. Repos

New Parcels

Show Docs

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◀ ▶

Registered Site - Show Site

Reg Site

Comments

Amend Log

Categ. Hist

Show Docs

Page 1

Page 2

Lot: 300 Plan: SP272314
 Category: NOTIFIABLE ACTIVITY
 LGA: GLADSTONE REGIONAL COUNCIL
 Site Name: FORMER SMIT MARINE AUST PL SITE
 Street: MACFARLAN DRIVE
 Suburb: BARNEY POINT Post Code: 4680
 Owner: GLADSTONE PORTS CORPORATION LIMITED
 Owner Address: PO BOX 259
 GLADSTONE DC QLD
 Post Code: 4680
 Parcel Status: C Area: 1157440 m²
 Site Inspection (SMP) Date:
 SMP Compliance Y/N:

Rec Type: BP Id: 141383
 Region: Hist. Id:
 AMA/AN:
 Notified By: OTHER Notif Rec'd:
 Entry Date: 08/09/2015 Last Altered Date: 22/02/2016
 25 - MINERAL PROCESSING
 Notifiable Activities: 37 - WASTE STORAGE, TREATMENT OR DISPOSAL
 50 - HAZARDOUS CONTAMINANT
 File: 101/17270 Officer: JOHNSA
 Offsite Disposal Date: IPA Date:
 Surrender of EA EPPR00667713, permitted
 Ext Ref: ERA56 - Regulated Waste Storage.
 Linked to Original Base Parcels -
 Haz Cont: Lot 278 on CTN1394 - Hazardous
 Contaminant -Flue Dust Compounds.