



ACT
Government

Chief Minister, Treasury and
Economic Development

Agreement No: CL 2017-003

AUSTRALIAN CAPITAL TERRITORY

ENVIRONMENTAL PROTECTION AGREEMENT UNDER THE ENVIRONMENT PROTECTION ACT 1997

Name: BP Australia Pty Ltd
ACN: 605680386
ABN: 53 004 085 616
Address: GPO Box 5222
Melbourne Victoria
3001

PURPOSE OF THE ENVIRONMENTAL PROTECTION AGREEMENT

The *Environment Protection Act 1997* (the Act) provides for the protection of the environment from pollution and includes a provision under Section 38 for the Environment Protection Authority (EPA) to enter into an Environmental Protection Agreement (Agreement).

This Agreement is an agreement between BP Australia Pty Ltd (BP) and the Environment Protection Authority (EPA) concerning the ongoing management of the sites detailed in Schedule A of this Agreement in accordance with the requirements of the site management plan (SMP) specified for each site.

The aim of this Agreement is to ensure that the sites specified in this Agreement are managed in such a way as to ensure the residual contamination at the site does not, or is not likely to, cause a significant risk of harm to human health or a significant risk of material environmental harm or serious environmental harm while measures for its management continue.

TIME PERIOD COVERED

This Agreement is current for a period from the date of signing until the EPA agrees in writing that the sites listed in Schedule A no longer require management under their corresponding SMP.

Either party can initiate negotiations to vary the content of this Agreement or cease the Agreement at any stage during the currency of the Agreement.

The EPA must be notified and consent obtained before any change in custodianship/responsibility for the sites subject to this Agreement.

RELATIONSHIP OF THE AGREEMENT TO LEGISLATIVE REQUIREMENTS

Clause 40 of the Act makes it clear that Agreements cannot override any of the provisions of the Act. Instead, the Agreement supplements those legal obligations and establishes a practical framework to ensure that requirements of the Act are given effect.

Breach of this Agreement may result in the serving of an Environment Protection Order under section 125(3) of the Act on BP thereby requiring compliance with the Act.

ENVIRONMENTAL ISSUES

The sites listed in Schedule A of this Agreement have undergone assessment and remediation and in some cases independent environmental audit to determine suitability for their permitted land uses. The assessments have identified contamination which requires ongoing management to ensure the sites do not pose an unacceptable risk to human health or the environment and are suitable for their permitted uses.

PROCEDURE

BP agrees to manage the sites listed in Schedule A in accordance with the requirements of the site's corresponding SMP as listed in Schedule A.

All aspects of the SMP must be implemented by BP or their authorised representative. Variation to the requirements of the SMP can only be made following agreement in writing by the EPA and for audited sites an EPA approved auditor.

PUBLIC INSPECTION OF DOCUMENT

In accordance with section 19 of the Act a copy of this Agreement will be made available for public inspection on the Access Canberra website and during business hours at the office of the Environment Protection Authority.

ENVIRONMENTAL PROTECTION AGREEMENT

Between

BP Australia Pty Ltd

And

the ENVIRONMENT PROTECTION AUTHORITY

This agreement has been signed for and on behalf of the parties on the 22 day of February 2017.

Signed for and **on behalf**
BP Australia Pty Ltd
GPO Box 5222
Melbourne, Vic, 3001

Sign: -----

Print full name: Mark Justin Murrie

Title: Operations Manager Asia Pacific

In the presence of

Sign: -----

Print full name: -----

Signed by the
Environment Protection Authority,
Access Canberra

Sign: -----

Print full Name: Benjamin Green

Title: Delegate, Environment Protection Authority

In the presence of

Sign: -----

Print full name: -----



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Schedule A

List of sites

Site Description	Site Details	Name of Audit/Assessment Reports	Name of Site Specific Management Plans
Off-site impacted areas - Former BP Service Station site Dickson	Off-site areas adjacent to Block 1 Section 31 Dickson	<i>"Site Characterisation Report and Conceptual Site Model, Former BP Dickson Service Station, 30-36 Woolley Street, Dickson, ACT"</i> dated 26 July 2016 by BP Australia Pty Ltd	<i>"Groundwater Management Plan (GMP) Former BP Dickson Service Station 30-36 Woolley Street, Dickson, ACT, 2602"</i> dated August 2016 by BP Australia Pty Ltd
Off-site impacted areas - BP Service Station Chisholm	See Attachments A and B of Site Audit Statement RS ACT 008	<i>"Site Audit Report BP Chisholm Offsite Plume Review"</i> dated 19 December 2017 by Ms Rowena Salmon of Ramboll Environ Australia Pty Ltd	<i>"Environmental Management Plan BP Chisholm - Offsite Area 6 Benham Street, Chisholm ACT 2905"</i> dated 30 November 2017 by BP Australia Pty Ltd