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Ref. E23668\_Ltr

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## **RE: Response to Council Comments, RE: Proposed Infill Affordable Housing Redevelopment at 2-6 Pilgrim Avenue & 11-13 Albert Road, Strathfield NSW**

EI Australia was engaged by Covertia Pty Ltd to respond to the “Cover Letter to Submission - State Significant Development (SSD-80432461) – Infill Affordable Housing at 2-6 Pilgrim Avenue and 11-13 Albert Road, Strathfield” (dated 29 August 2025).

As part of the proposed development EI have prepared two environmental investigation reports for the site titles:

- EI (2025) *Preliminary Site Investigation with Limited Sampling*, dated 31 March 2025, original version was dated 6 February 2018, E23668.E01\_Rev3; and
- EI (2025) *Additional Site Investigation*, dated 31 March 2025, original version was dated 25 June 2025, ref. E23668.E03\_Rev2.

The *Preliminary Site Investigation with Limited Sampling* (EI, 2025; original version 2018) was prepared for the subject site associated with this proposed development (SSD-80432461), along with the neighbouring service station (now excluded from the development site). The PSI did not identify any in soil or groundwater exceeding the relevant site suitability criteria with the exception of lead in in BH102. It was recommended that additional investigation be undertaken and a Remediation Action Plan (RAP) be prepared to address potential impacts associated with underground storage tanks (USTs) located on the former service station site. As the service station property is no longer part of the proposed development, the requirement for a RAP and any associated remediation works related to the USTs is no longer applicable to the current development site.

The *Additional Site Investigation* (EI, 2025, original version 2021) was undertaken to cover the minimum number of sampling points required EPA Sampling Design Guidelines (previously 1995, now 2022) and to further assessed groundwater. No additional contamination was identified in site soil other than fill at BH102, however this was considered a low human health risk because BH102 was located within the proposed basement footprint and will be excavated and disposed of from the site as part of the proposed development. Groundwater concentrations were reported below the adopted criteria with the exception of various metals however was considered to be within natural background concentrations and considered a low human health and environmental risk. EI consider the site can be suitable for the proposed development subject to the implementation of the recommendations outlined in the report, including Hazardous Materials Survey on current building structures, waste classification and off-site disposal of fill within the basement footprint in accordance with the EPA (2014) Waste Classification Guidelines; preparation of a Construction Environmental Management Plan; additional groundwater monitoring event on existing groundwater wells; any imported materials are validated as suitable for intended use and preparation of a final validation report.

EI is aware of the following comments from Council regarding contamination matters raised in relation to the EI reports (as referenced above) for the proposed development. The Council's comments are presented in italics, followed by EI's responses below each relevant comment.

### **Council Comment 1:**

*“It is noted that there is a petrol station located adjacent to the site. This presents potential contamination and safety risks, particularly in relation to excavation activities associated with the proposed development.”*

### **EI Response 1:**

To assess the potential risk from the petrol station, two investigations were undertaken by EI — a Preliminary Site Investigation (PSI) and an Additional Site Investigation (ASI) — which included soil and groundwater sampling. Based on the analytical results, petroleum hydrocarbons were below detection limits and/or below the adopted criteria in both soil and groundwater, indicating that the petrol station is unlikely to pose a contamination risk for the site.

### **Council Comment 2:**

*“A Contamination Assessment should be undertaken in accordance with the NSW EPA Guidelines and SEPP (Resilience and Hazards) 2021, to assess the potential for soil or groundwater contamination resulting from historical or ongoing activities at the adjoining service station.”*

### **EI Response 2:**

The EI investigations were undertaken in accordance with the *Consultants Reporting on Contaminated Land Guidelines* (EPA, 2020), *Sampling Design Guidelines* (EPA, 2022), and Clause 4.6 of the *State Environmental Planning Policy (Resilience and Hazards) 2021* because:

#### **1. Compliance with reporting standards:**

Both the Preliminary Site Investigation (PSI) and Additional Site Investigation (ASI) were prepared following the structure, content, and reporting requirements outlined in the *EPA (2020) Consultants Reporting on Contaminated Land Guidelines*. This ensured the reports contained a clear scope of works, data quality objectives, conceptual site model, and conclusions consistent with regulatory expectations.

#### **2. Scientifically defensible sampling design:**

The sampling strategy for soil and groundwater was developed and implemented in accordance with the *EPA (2022) Sampling Design Guidelines*, ensuring representative data collection, appropriate spatial coverage, and statistical robustness. This approach provided sufficient confidence in delineating the extent and magnitude of contamination.

#### **3. Consistency with planning requirements:**

The investigations addressed the requirements of Clause 4.6 of the *State Environmental Planning Policy (Resilience and Hazards) 2021*, which mandates that land be demonstrated to be suitable (or capable of being made suitable) for its proposed use. The PSI and ASI provided the necessary evidence to inform suitability assessments under this clause.

#### **4. Regulatory and technical alignment:**

By adhering to these guidelines and legislative instruments, EI ensured that the investigations are technically sound, transparent, and suitable for review by the EPA, planning authorities, and other stakeholders involved in land use and contamination assessment decisions.

### **Council Comment 3:**

*“The Geotechnical and Environmental Reports should consider any risks posed by vapours, underground storage tanks, or contaminated soil, and provide recommendations for safe excavation and disposal of spoil.”*

### **EI Response 3:**

Based on the soil and groundwater results from the PSI and ASI, petroleum hydrocarbon concentrations and other volatile organic compounds were low and below the adopted site suitability criteria. EI considers the potential human health and environmental risks to be low and acceptable.

#### **Council Comment 4:**

*“A Site Management Plan should be prepared to outline procedures for excavation, including safety measures, monitoring, and mitigation of potential contamination or vapour intrusion during construction.”*

#### **EI Response 4:**

EI agree that a Construction Environmental Management Plan (CEMP) must be prepared prior to redevelopment of the site and should be implemented during redevelopment works. Based on findings of the ASI and PSI, the site did not identify contamination warranting remediation. EI however consider that an CEMP must be prepared and implemented as part of the proposed redevelopment, which include the requirement for waste classification of surplus soils to be excavated as part of the proposed development and procedure of how to properly address any unexpected contamination if encountered during construction.

EI notes that preparation of a CEMP is not required at the development application stage. Instead, the CEMP should be prepared at a later stage and submitted prior to the commencement of construction works and be included as a condition of development consent.

#### **Council Comment 5:**

*“Include details of a Remediation plan. The developer must act immediately if contamination is discovered during excavation near a petrol station. In the event that contamination is confirmed, a remediation plan must be developed and approved.”*

*This may involve:*

- o Excavating and removing contaminated soil.*
- o Treating groundwater.*
- o Installing barriers or vapour mitigation systems..”*

#### **EI Response 5:**

Based on the findings of the PSI and ASI, the site conditions do not warrant the preparation of a Remediation Action Plan (RAP). EI recommend that an Unexpected Finds Protocol (UFP), which outlines the requirements of what to do if unexpected contamination is identified during redevelopment, be included required CEMP.

#### **Council Comment 6:**

*“The Preliminary Site Investigation dated 31 March 2025 includes limited sampling and identifies the need for further investigation and risk management measures prior to redevelopment. Given the proximity of the adjoining petrol station and the proposed basement excavation, a number of critical actions are recommended to manage potential environmental and human health risks:*

- Hazardous Materials Survey Prior to any demolition works, a Hazardous Materials Survey must be carried out on all existing site structures to identify potentially hazardous building materials, such as but not limited to asbestos, lead-based paint, or synthetic mineral fibres, that could be released during demolition.”*

#### **EI Response 6:**

Following completion of the PSI, an ASI was undertaken. Based on the findings of the ASI, the human health risks associated with the proposed development are considered low, and the site is suitable for the intended use. EI agrees that a Hazardous Materials Survey should be carried out prior to demolition.

#### **Council Comment 7:**

*“• Review of Adjacent Service Station Reports A review of available environmental and contamination reports previously prepared for the adjoining service station site should be undertaken to inform risk assessments and guide remedial strategies.”*

#### **EI Response 7:**

It is understood that the client has made contact with the neighbouring petrol station for environmental reports, however were not provided at the time of writing this report. However EI note that the site is not listed on the NSW EPA's List of Contaminated Sites under Section 60 of the Contaminated Land Management Act 1997. In addition,

no impacts from the service station entering the site were identified as part of the PSI and ASI.

**Council Comment 8:**

*“Preparation and Implementation of a Remedial Action Plan (RAP).”*

**EI Response 8:**

Based on the findings of the PSI and ASI, preparation of a Remediation Action Plan (RAP) is not considered necessary. EI however consider that an CEMP must be prepared and implemented as part of the proposed redevelopment, which will include the requirement for waste classification of surplus soils to be excavated as part of the proposed development and procedure of how to properly address any unexpected contamination if encountered during construction.

**Council Comment 9:**

*“• A comprehensive Remedial Action Plan (RAP) should be developed to address contamination risks and guide site remediation.”*

**EI Response 9:**

Based on the findings of the PSI and ASI, preparation of a Remediation Action Plan (RAP) is not considered necessary. EI however consider that an CEMP must be prepared and implemented as part of the proposed redevelopment, which will include the requirement for waste classification of surplus soils to be excavated as part of the proposed development and procedure of how to properly address any unexpected contamination if encountered during construction.

**Council Comment 10:**

*“Supplementary investigations to address the data gaps identified in the Preliminary Site Investigation.”*

**EI Response 10:**

The ASI was prepared in response to the PSI recommendations, which indicated that additional investigation was required. No additional contamination to soil and groundwater were identified during the ASI and the site was considered suitable for the proposed development, subject to the implementation of the recommendations of the PSI.

**Council Comment 11:**

*“• Specific remediation requirements for Underground Petroleum Storage System (UPSS) decommissioning, in accordance with the Protection of the Environment Operations (UPSS) Regulation 2014 and associated EPA guidance documents.”*

**EI Response 11:**

Underground storage tanks (USTs) are not located within the site, rather the neighbouring site. Therefore remediation of UPSS's during site redevelopment is not necessary for the redevelopment site.

**Council Comment 12:**

*“• Procedures for the classification of excavated soils in line with the NSW EPA Waste Classification Guidelines (2014), to enable proper off-site disposal.”*

**EI Response 12:**

In accordance with the recommendations of the ASI, all surplus soil must be classified prior to off-site disposal. This classification should be conducted following demolition to allow for a comprehensive assessment. This requirement should be outlined in the CEMP.

**Council Comment 12:**

*“A Sampling and Analysis Quality Plan (SAQP) for validation of all on-site remediation activities.”*

**EI Response 12:**

Based on the findings of the PSI and ASI, EI considers that a Site Audit Quality Plan (SAQP) for on-site remediation activities is not necessary, as remediation is not warranted a Remediation Action Plan (RAP) is not required. EI however consider that an CEMP must be prepared and implemented as part of the proposed redevelopment, which include the requirement for a waste classification of surplus soils to be excavated as part of the proposed development and procedure of how to properly address any unexpected contamination in encountered during construction.

EI are of the opinion that the can be made suitable for the proposed development subject to the implementation of the recommendations outlined in **Section 10** the ASI. EI suggest that these recommendations are included in the future Development Consent Conditions.

EI notes that preparation of a CEMP is not required at the development application stage. Instead, the CEMP should be prepared at a later stage and submitted prior to the commencement of construction works and be included as a condition of development consent.

Please contact the undersigned if you have any questions regarding any of the above details.

For and on behalf of

**EI AUSTRALIA**

 

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