



DOC20/969182-3

Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124
Email: ellen.luu@planning.nsw.gov.au

Attention: Ellen Luu – Senior Environmental Assessments Officer, Industry Assessments

Dear Ellen,

Proposed Modification 3 to the Major Project Approval MP 09_0147 for 2 Christina Road, Villawood – EPA Advice

Thank you for requesting advice from the Environment Protection Authority (**EPA**) via Public Authority Consultation (PAE-1143497) on proposed Modification 3 to Major Project Approval MP 09_0147 (**Approval**), submitted by Orica Australia Pty Ltd (**Applicant**) for the above premises.

The EPA has reviewed the following documents:

- *Major Project Approval MP 09_0147 – Remediation of Former Orica Villawood Site – Section 4.55(1A) Modification Application*, prepared by DBL Property Pty Limited – November 2020 (Modification Report).

The EPA understands the proposal is to:

- Amend the conditions of the Approval to require ongoing compliance with the Long-Term Environmental Management Plan (**LTEMP**). The Applicant has suggested that the existing text of Condition 10, Schedule 4 of the Approval, be replaced with new suggested wording.
- Subdivide the premises into two lots, creating a small lot (new Lot 1) to be retained by the Applicant and a large lot (new Lot 2) which is to be divested. This subdivision will be accompanied by easements and a public positive covenant (**PPC**) to ensure the requirements of the Groundwater Management Plan (**GMP**) are met. The Applicant has proposed a new condition be added to the Approval to require a PPC on new Lot 1, in favour of the EPA, prior to subdivision of the premises.

1. Matters to be addressed with conditions

The EPA has reviewed the LTEMP and PPC conditions suggested by the Applicant and has no objection to the proposed modification. The EPA recommends that the Approval be modified as proposed by the Applicant. The proposed changes to Condition 10, particularly the specified objectives for the LTEMP and GMP (i.e. that the environment and receptors offsite are protected, users of the site are not exposed to contamination and the offsite areas remain suitable for their existing approved use), will ensure that the plans, including future versions, assist in addressing the risks identified in the EPA's declaration of significantly contaminated land.

2. Minor matters

The EPA Accredited Site Auditor, Mr Chris Jewell, has stated that the LTEMP is appropriate to monitor the groundwater contamination, assess changes to the groundwater contamination and

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facilitate contingency planning in the event that the plumes are found to migrate. This is a slightly different scope to that requested earlier by the EPA and provides less certainty regarding the management of offsite risks. The EPA requested a section B2 site audit statement and site audit report certifying the LTEMP and GMP are appropriate to ensure the environment and receptors off-site are protected, users of the site are not exposed to contamination at the site and sites impacted by off-site contamination remain suitable for their existing use and any use that could occur under exempt and complying development.

3. Other issues to note

Orica Australia Pty Ltd holds two Environment Protection Licenses (No. 2149 and No. 6964) for the premises.

If you have any questions about this response, please contact Kieran Henry on 8837 6000 or via email at kieran.henry@epa.nsw.gov.com.

Yours sincerely



4 December 2020

LESLEY CORKILL

Unit Head, Regulatory Operations Metro – West