

26 November 2024

ESR Developments (Australia) Pty Ltd
Level 12, 135 King Street
Sydney NSW 2000
Attention: Will Dwyer

By email: Will.Dwyer@esr.com

Dear Will,

RE: Letter No.1 - Site Audit Process, 49-61 Stephen Road, Banksmeadow NSW

1. Introduction

As a NSW EPA accredited Contaminated Sites Auditor, I have been engaged by ESR Developments (Australia) Pty Ltd (ESR) to provide site auditor support under the NSW *Contaminated Land Management Act 1997* (CLM Act) in the context of the proposed development at 49-61 Stephen Road, Banksmeadow NSW 2019 (the site) (Audit no. RS-187). The property is identified as Lot A in Deposited Plan 190526; Lot 1 in Deposited Plan 311767; and Lot 1 in Deposited Plan 1095110 and covers an area of approximately 4.8 ha.

The site is owned by ESR following a purchase and lease back agreement with Allnex Resins Australia Pty Ltd (Allnex) and has been used for chemical manufacturing and storage since approximately 1943.

Application for State Significant Development (SSD) 65924461 has been made for Remediation of site and construction and operation of a multi-level warehouse.

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Ref 318002013
Audit No. RS-187

2. Background

Previous environmental investigations have identified soil and groundwater impacts (including dissolved toluene, ethylbenzene and xylene (TEX) and light non-aqueous phase liquid (LNAPL)) in the central portion of the site. The known groundwater impact is undergoing remediation including enhanced in-situ bioremediation in the source area and air sparging/soil vapour extraction at the downgradient boundary (south) of the site. The groundwater remediation works are being regulated by NSW EPA in accordance with a Voluntary Management Proposal (VMP, Approval No. 20201720) and the expected timeframe for remediation completion and VMP closure is currently 2027.

In 2022, JBS&G Australia Pty Ltd (JBS&G), on behalf of Allnex, completed a Preliminary Site Investigation (PSI) and a Detailed Site Investigation (DSI). The DSI included completion of 69 boreholes using a drill rig or hand auger, installation of 11 groundwater monitoring wells and groundwater sampling, and installation of 45 sub-slab soil vapour pins and soil vapour sampling. The DSI identified asbestos, lead, organochlorine pesticides (OCPs) and petroleum hydrocarbons impacted site soils requiring management / remediation. The DSI concluded that "the site is suitable for on-going commercial/industrial use in its current configuration subject to implementation of an Environmental

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Management Plan to manage lead, OCP and asbestos impacts identified in soil” and “Remediation and/or management of identified impacts would be required for potential redevelopment of the site for commercial/industrial use”.

Planning Secretary’s Environmental Assessment Requirements (SEARs) issued 30 January 2024 require:

- *Contamination – a site contamination assessment in accordance with the Managing Land Contamination Planning Guidelines: SEPP 55 – Remediation of Land (DUAP, 1998), including:*
 - *assessment of the extent and nature of any contamination of the soil, groundwater and soil vapour including the potential risks to human health and the environmental receptors near the site*
 - *the engagement of a Site Auditor accredited under the Contaminated Land Management Act 1997 NSW Site Auditor Scheme*
 - *a remedial action plan (RAP) detailing the measures that will be undertaken to remediate and manage contamination identified at the site*
 - *a statement from a NSW Site Auditor, certifying site suitability for the intended use subject to the implementation of the submitted RAP*
 - *details of any required long term management of the site*
 - *how the development will integrate with any Voluntary Management Proposal applying to the site.*

ESR have engaged Douglas Partners Pty Ltd (DP) as the environmental consultant. DP have undertaken data gap investigations and have prepared a Remediation Action Plan (RAP). Remediation works are proposed to make the site suitable for the intended future land use. At this stage, remediation of five areas is anticipated, with a range of remediation strategies likely to be employed, including onsite cap and containment and onsite ex-situ remediation and ongoing management of the site will be required under a long-term environmental management plan (EMP).

Based on the current agreement, Allnex are, and will remain, responsible for the groundwater remediation tasks regulated by the VMP. ESR will be responsible for site demolition and soil remediation tasks. Therefore, the RAP addresses remediation of soil contamination only.

Following the VMP closure and depending on the outcomes of the VMP remediation works, it is understood that a revision to the RAP or Remedial Works Plan (RWP) may be prepared to consider residual soil contamination at the site.

3. Site Audit Process

The initial objective of my audit engagement is to provide an independent review of the data gap investigations and the RAP. I have commenced this review and am in the process of providing my comments on draft versions of the data gap investigation and the RAP. Once I am satisfied with these documents, I will prepare a Section B Site Audit Statement (SAS) and supporting Site Audit Report (SAR) reviewing the adequacy of the RAP with respect to current regulatory requirements and in consideration of the proposed development.

It is expected the VMP remediation will be completed prior to the future redevelopment. The VMP remediation works are also being audited by me (Audit no. RS-088).

Future stages of Audit no. RS-187 will consider:

- Additional remediation planning documents to be prepared.
- Suitability of the site for the proposed development following completion of remediation.
- Suitability of the proposed ongoing management framework including the long-term EMP.

I will conduct a detailed review the anticipated environmental reports which will include a validation report and LTEMP. Other documents may be prepared including a revised RAP or RWP depending on the outcome of the VMP remediation.

Regular site visits during the remediation validation phase are proposed to monitor the site condition and works progress.

Once satisfied, I will prepare a Section A2 SAS and supporting SAR concluding on the suitability of the site for the proposed use subject to long-term management under the long-term EMP.

The proposed approach is considered to be in accordance with the requirements of Chapter 4 Remediation of Land in the Resilience and Hazards State Environment Planning Policy (SEPP) (2021).

* * *

Please contact the undersigned if you wish to discuss.

Yours sincerely,
Ramboll Australia Pty Ltd

A handwritten signature in purple ink, appearing to read 'RSalmon', with a long horizontal flourish extending to the right.

Rowena Salmon
NSW EPA Accredited Auditor 1002

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