

NSW Site Auditor Scheme SITE AUDIT STATEMENT



A site audit statement summarises the findings of a site audit. For full details of the site auditor's findings, evaluations and conclusions, refer to the associated site audit report.

This form was approved under the Contaminated Land Management Act 1997 on 31st October 2012. For more information about completing this form, go to Part IV.

PART I: Site audit identification

Site audit statement no. 0503-1301-A1

This site audit is a **statutory audit**/~~non-statutory audit~~* within the meaning of the *Contaminated Land Management Act 1997*.

Site auditor details (as accredited under the *Contaminated Land Management Act 1997*)

Name **Andrew Lau** Company **JBS&G**

Address **Level 1, 50 Margaret Street**

SYDNEY

NSW

Postcode **2000**

Phone **02 8245 0300**

Fax **02 8245 0399**

Site Details

Address **Rooty Hill Road South (Western Sydney Parklands)**

ROOTY HILL

NSW

Postcode **2766**

Property description (*attach a list if several properties are included in the site audit*)

- Part Lot 1 DP1103025
- Lot 100 DP882326
- Part Lot 2 & 3 Section A DP8681
- Lot 3 to Lot 5 Section B DP8681
- Lot 1 DP135665
- Lots 1 & 13 Section B DP 8681
- Lots 1 to lot 6, lot 8 and lot 9 DP830836
- Part Lot 7 and part lot 10 DP830836
- Lots 2 & 3 DP1041487
- Lot A DP358346
- Lot 1, Lots 3 & 8 DP31130
- Lots 11, 12 and 14 DP882325
- Lots 1 & 2 DP1069269
- Lot 14 DP1051904
- Lots 11, 12 and 50 DP1041487
- Beggs Road (southern half) – Public Crown Subdivision Land

- Beggs Road (northern half) – Road being the residue of Land in Certificate of Title Volume 826 Folio 243
- Belmore Road from intersection with Beggs Road to its intersection with Great Western Hwy (western half) – Road being the residue of Land in Certificate of Title Volume 826 Folio 243
- Belmore Road from intersection with Beggs Road to its intersection with Great Western Hwy (eastern half) – Public Crown Subdivision Road.
- Belmore Road from its intersection with Beggs Road to its extent to north-east (Western Half) – Road being the Residue of Land in Certificate of Title Volume 147 Folio 41.
- Belmore Road from its intersection with Beggs Road to its extent to north-east
- (Eastern Half) – Public Crown Reserved Road Easement for Gas Pipeline – Easement for Pipeline (Vide Q916928).

Local Government Area **Blacktown City Council**

Area of Site (eg. hectares) **34 hectares** Current zoning **SEPP (WSP) 2009: UL-Western Parklands**

To the best of my knowledge, the site ~~is~~**is not*** the subject of a declaration, order, agreement, proposal or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985*.

Declaration/Order/Agreement/Proposal/Notice* no(s) N/A

Site audit commissioned by

Name **George Henien** Company **Hansen Yuncken Pty Ltd (on behalf of Western Sydney Parklands Trust)**

Address **PO Box 409, Mascot NSW 2020**

Postcode **2010**

Phone **0419 535 103**

Fax **02 9770 7601**

Name and phone number of contact person (if different from above) **N/A**

Purpose of site audit

- A. To determine land use suitability (please specify intended use[s])

Commercial / industrial including bulk goods; storage and retail use; detention basins and revegetation; and roadways, utility easements, stormwater drainage and retention.

OR

- B(i) To determine the nature and extent of contamination, and/or
- B(ii) To determine the appropriateness of an investigation/remedial action/management plan*, and/or
- B(iii) To determine if the land can be made suitable for a particular use or uses by implementation of a specified ~~remedial action plan~~/management plan* (please specify intended use[s])

Information sources for site audit

Consultancy(ies) which conducted the site investigation(s) and/or remediation:

Douglas Partners Pty Ltd

CDM Smith Australia Pty Ltd

Consara Pty Ltd

Coffey Environments Australia Pty Ltd

WSP Australia Pty Ltd

Title(s) of report(s) reviewed

- *Report on Phase 1 Contamination Assessment, Proposed Redevelopment of Parcel 2.4, Western Sydney Parklands, Rooty Hill Road South, Doonside, Douglas Partners, November 2009 (DP 2009).*
- *Sampling, Analytical and Quality Plan, Eastern Creek Business Hub, Rooty Hill Road South, Rooty Hill NSW, CDM Smith, August 2012 (CDM 2012).*
- *Eastern Creek Business Hub Phase 2 Environmental Site Assessment, Rooty Hill Road South, Rooty Hill NSW, CDM Smith, February 2013, (CDM 2013).*
- *Concept Remediation Action Plan Eastern Creek Business Hub, Consara Pty Ltd, April 2013, (Consara 2013a).*
- *Remediation Action Plan Phase 1 Early Works for Eastern Creek Business Hub, Consara Pty Ltd, 25 June 2013, (Consara 2013b).*
- *Phase 1 Early Works Remediation Action Plan – Eastern Creek Business Hub, Coffey Environments Australia Pty Ltd, 28 July 2015 (Coffey 2015).*
- *RAP Addendum – Relocation of Asbestos Containment Cell Eastern Creek Business Hub Development Site, Coffey, 12 October 2016 (Coffey 2016).*
- *Review and Comment on Proposed Validation Methodology and Remediation Activity Asbestos Remediation – Eastern Creek Business Hub Development Site, Coffey, 1 March 2017 (Coffey 2017).*
- *Western Sydney Parklands Trust, Eastern Creek Business Hub – Validation Report, Beggs Road, Rooty Hill, NSW, WSP, August 2017 (WSP 2017a).*
- *Addendum to Western Sydney Parklands Trust, Eastern Creek Business Hub – Validation Report, Childcare Centre, Beggs Road, Rooty Hill, NSW, WSP, July 2017 (WSP 2017b).*
- *Draft Western Sydney Parklands Trust, Eastern Creek Business Hub – Environmental Management Plan, Beggs Road, Rooty Hill, NSW, WSP, July 2017 (WSP 2017c).*
- *Draft Western Sydney Parklands Trust Eastern Creek Business Hub – Long-term Environmental Management Plan, Beggs Road, Rooty Hill, NSW, WSP, July 2017 (WSP 2017d).*
- *Draft Western Sydney Parklands Trust, Eastern Creek Business Hub – Development Phase Environmental Management Plan, Beggs Road, Rooty Hill, NSW, WSP, July 2017 (WSP 2017e).*
- *Response to Auditor Comments provided on 26 July 2017, Eastern Creek Business Hub Validation Reports and Management Plans, WSP, 31 July 2017 (WSP 2017f).*
- *Western Sydney Parklands Trust Eastern Creek Business Hub - Site Environmental Management Plan, Beggs Road, Rooty Hill, NSW, WSP, August 2017 (WSP 2017g).*

Other information reviewed (including previous site audit reports and statements relating to the site)

- *Category 1 QHSE Plan – Eastern Creek Business Hub, Beggs Road, Eastern Creek, Enviropacific Services, issued 25 January 2017.*
- *Work Procedure 01 – Site Establishment and Preliminaries, Enviropacific Services, issued 23 January 2013.*
- *Work Procedure 02 – Remediation Excavation, Enviropacific Services, issued 23 January 2017.*
- *Work Procedure 03 – Asbestos Management Plan and Asbestos Removal Control Plan (ARCP), Rooty Hill, NSW, Enviropacific Services, issued 25 January 2017.*
- *Email correspondence between the client, Luke Wilson, Project Manager, Western Sydney Parklands Trust (WSPT) and the auditor, Andrew Lau, between March 2017 and June 2017. Specific email correspondence relates to testpitting methodology for 'high likelihood areas' (10 March 2017); validation methodologies for the Proposed Childcare Centre (26 April 2017); Validation methodology for Area L (23 May 2017);*

testpitting strategy in Friable Asbestos areas, Area K and Area W (1 May 2017); and cell boundary locations (16 June 2017).

- *Email correspondence from Luke Wilson, Project Manager, WSPT, issued on 1 August 2017.*
- *Site Audit Report, Eastern Creek Business Hub Rooty Hill Road South Rooty Hill, JBS42270-53571, JBS Environmental Pty Ltd, April 2013 (JBS 2013a); and*
- *Site Audit Statement #0503-1112, Andrew Lau of JBS Environmental Pty Ltd, 12 April 2013.*
- *Site Audit Report, Eastern Creek Business Hub Rooty Hill Road South Rooty Hill, JBS42270-54924, JBS&G, July 2013 (JBS 2013b).*
- *Site Audit Statement #0503-1301, Andrew Lau of JBS&G, 12 July 2013.*
- *Site Audit Report, Eastern Creek Business Hub Rooty Hill Road, Rooty Hill NSW, JBS&G50877-101274, JBS&G, 4 August 2015 (JBS&G 2015)*
- *Site Audit Statement #0503-1301, Andrew Lau of JBS&G, 4 August 2014.*

Site audit report

Title **Site Audit Report, Eastern Creek Business Hub Rooty Hill Road, Rooty Hill NSW**

Report no. **51259-109504 (Rev A)**

Date **11 August 2017**

PART II: Auditor's findings

Please complete either Section A or Section B, **not** both. (*Strike out the irrelevant section.*)

Use Section A where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land use(s).

Use Section B where the audit is to determine the nature and extent of contamination and/or the appropriateness of an investigation or remedial action or management plan and/or whether the site can be made suitable for a specified land use or uses subject to the successful implementation of a remedial action or management plan.

Section A

I certify that, in my opinion, the site is **SUITABLE** for the following use(s)

(*tick all appropriate uses and strike out those not applicable*):

- ~~Residential, including substantial vegetable garden and poultry~~
- ~~Residential, including substantial vegetable garden, excluding poultry~~
- ~~Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry~~
- ~~Day care centre, preschool, primary school~~
- ~~Residential with minimal opportunity for soil access, including units~~
- ~~Secondary school~~
- ~~Park, recreational open space, playing field~~
- Commercial/industrial
- Other (please specify) - Commercial / industrial including bulk goods; storage and retail use; detention basins and revegetation; and roadways, utility easements, stormwater drainage and retention.

subject to compliance with the following environmental management plan
(*insert title, date and author of plan*) **in light of contamination remaining on the site:**

Western Sydney Parklands Trust Eastern Creek Business Hub - Site Environmental Management Plan, Beggs Road, Rooty Hill, NSW, WSP, August 2017 (WSP 2017g).

OR

I certify that, in my opinion, the site is **NOT SUITABLE** for any use due to the risk of harm from contamination.

Section B

Purpose of the plan¹ which is the subject of the audit

I certify that, in my opinion:

- ~~the nature and extent of the contamination HAS/HAS NOT* been appropriately determined~~

AND/OR

- ~~the investigation/remedial action plan/management plan* IS/IS NOT* appropriate for the purpose stated above~~

AND/OR

- ~~the site CAN BE MADE SUITABLE for the following uses (tick all appropriate uses and strike out those not applicable):~~

- ~~Residential, including substantial vegetable garden and poultry~~
- ~~Residential, including substantial vegetable garden, excluding poultry~~
- ~~Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry~~
- ~~Day care centre, preschool, primary school~~
- ~~Residential with minimal opportunity for soil access, including units~~
- ~~Secondary school~~
- ~~Park, recreational open space, playing field~~
- ~~Commercial/industrial~~
- ~~Other (please specify)~~

~~if the site is **remediated**/managed* in accordance with the following remedial action plan/management plan*~~

subject to compliance with the following condition(s):

¹ For simplicity, this statement uses the term 'plan' to refer to both plans and reports.

Overall comments

- The site investigation works and remediation and validation works are considered to have met the requirements of the Contaminated Sites: Guidelines for the NSW Site Auditor Scheme (2nd Edition) (DEC 2006).
- The site investigation activities identified historically imported and/or buried fill and waste materials within various areas of the site which contained reworked silty clay, demolition wastes, and fragments of asbestos containing materials. The levels of asbestos in fill/waste soils in parts of the site were considered to require remediation or management to make the site suitable for the proposed uses.
- Given the nature of the identified contamination (i.e., asbestos), there was no evidence of potential or actual migration of contaminants from the site which may result in unacceptable risks to surrounding human or ecological receptors.
- The revised Phase 1 Early Works RAP (Coffey 2015) and Addendum to the RAP (Coffey 2016) prepared for the site addressed the identified contamination issues, with the remediation approach checked by the auditor and found to be: technically feasible; environmentally justifiable given the nature and extent of the identified contamination; and consistent with relevant laws, policies and guidelines.
- The remediation works completed at the site included the removal of known asbestos impacted in 'high' likelihood areas, as defined in the RAP (Coffey 2015). All asbestos impacted soils were excavated and placed within the capped containment cells, Cell #1 and Cell # 2, located within the north-eastern corner of the site. The containment cells were suitably constructed, as per the requirements of the RAP (Coffey 2015) and Addendum to the RAP (Coffey 2016).
- The auditor considers that the remediation and validation works were generally completed in accordance with the requirements of the revised Phase 1 Early Works RAP (Coffey 2015), audit conditions as stated in SAS dated 4 August 2015 (JBS&G 2015), Addendum to the RAP (Coffey 2016) and auditor approvals.
- Whilst the remediation works have been documented as being successful in addressing the known areas of impact, as with any site where there has been historic uncontrolled filling/burial of fill materials including demolition rubble, the potential exists for unexpected asbestos to remain at the site. Whilst the auditor is satisfied that such unexpected impacts do not affect the suitability of the site for the proposed use, this residual potential risk has been adequately and appropriately addressed through the development of an EMP for the site (WSP 2017g).
- The suitability of the site for the proposed landuses is therefore subject to the implementation of the EMP prepared for the site (WSP 2017g). The auditor is satisfied that the EMP will be reasonably able to be legally enforceable, as the audit is a requirement of the development consent, hence the audit statement and accompanying EMP will be enforceable under the consent. A copy of the audit statement and accompanying EMP will also be provided to the local council for inclusion on the relevant s.149 certificates, based on current requirements, so the auditor is also satisfied that there is a public notification mechanism for the EMP.

PART III: Auditor's declaration

I am accredited as a site auditor by the NSW Environment Protection Authority under the *Contaminated Land Management Act 1997* (Accreditation No. **0503**).

I certify that:

- I have completed the site audit free of any conflicts of interest as defined in the *Contaminated Land Management Act 1997*, and
- with due regard to relevant laws and guidelines, I have examined and am familiar with the reports and information referred to in Part I of this site audit, and
- on the basis of inquiries I have made of those individuals immediately responsible for making those reports and obtaining the information referred to in this statement, those reports and that information are, to the best of my knowledge, true, accurate and complete, and
- this statement is, to the best of my knowledge, true, accurate and complete.

I am aware that there are penalties under the *Contaminated Land Management Act 1997* for wilfully making false or misleading statements.

Draft

11 August 2017

PART IV: Explanatory notes

To be complete, a site audit statement form must be issued with all four parts.

How to complete this form

Part I identifies the auditor, the site, the purpose of the audit and the information used by the auditor in making the site audit findings.

Part II contains the auditor's opinion of the suitability of the site for specified uses or of the appropriateness of an investigation, or remedial action or management plan which may enable a particular use. It sets out succinct and definitive information to assist decision-making about the use(s) of the site or a plan or proposal to manage or remediate the site.

The auditor is to complete either Section A or Section B of Part II, **not** both.

In **Section A** the auditor may conclude that the land is *suitable* for a specified use(s) OR *not suitable* for any beneficial use due to the risk of harm from contamination.

By certifying that the site is *suitable*, an auditor declares that, at the time of completion of the site audit, no further remediation or investigation of the site was needed to render the site fit for the specified use(s). Any **condition** imposed should be limited to implementation of an environmental management plan to help ensure the site remains safe for the specified use(s). The plan should be legally enforceable: for example a requirement of a notice under the *Contaminated Land Management Act 1997* (CLM Act) or a development consent condition issued by a planning authority. There should also be appropriate public notification of the plan, e.g. on a certificate issued under s.149 of the *Environmental Planning and Assessment Act 1979*.

Auditors may also include **comments** which are key observations in light of the audit which are not directly related to the suitability of the site for the use(s). These observations may cover aspects relating to the broader environmental context to aid decision-making in relation to the site.

In **Section B** the auditor draws conclusions on the nature and extent of contamination, and/or suitability of plans relating to the investigation, remediation or management of the land, and/or whether land can be made suitable for a particular land use or uses upon implementation of a remedial action or management plan.

By certifying that a site *can be made suitable* for a use or uses if remediated or managed in accordance with a specified plan, the auditor declares that, at the time the audit was completed, there was sufficient information satisfying guidelines made or approved under the CLM Act to determine that implementation of the plan was feasible and would enable the specified use(s) of the site in the future.

For a site that *can be made suitable*, any **conditions** specified by the auditor in Section B should be limited to minor modifications or additions to the specified plan. However, if the auditor considers that further audits of the site (e.g. to validate remediation) are required, the auditor must note this as a condition in the site audit statement.

Auditors may also include **comments** which are observations in light of the audit which provide a more complete understanding of the environmental context to aid decision-making in relation to the site.

In **Part III** the auditor certifies his/her standing as an accredited auditor under the CLM Act and makes other relevant declarations.

Where to send completed forms

In addition to furnishing a copy of the audit statement to the person(s) who commissioned the site audit, statutory site audit statements must be sent to:

EPA (NSW)

Contaminated Sites Section
PO Box A290, SYDNEY SOUTH NSW 1232
nswauditors@epa.nsw.gov.au

AND

the **local council** for the land which is the subject of the audit.



Base Map Source – Total Survey Solutions, containment Cell Overlaid With Buildings, Plan No. 1014, 2017

LEGEND

Site boundary

Figure 4 – Site Survey Plan
Eastern Creek Business Hub,
Beggs Road, Rooty Hill, NSW