



DOC19/1088922

Mr Karl Fetterplace  
Key Sites Assessments  
Department of Planning, Industry and Environment  
GPO Box 39,  
Sydney NSW 2001

Dear Mr Fetterplace

**Cricket NSW Centre of Excellence (SSD 10354)  
Advice on the Environmental Impact Statement (EIS)**

I am writing to you in reply to the invitation to the Environment Protection Authority (EPA) to provide advice on the Environmental Impact Statement (EIS), including recommendations for Conditions of Approval, for the above proposal.

The EPA understands that the project involves the relocation and centralisation of Cricket NSW facilities to a dedicated new training and administration facility at Wilson Park in the Sydney Olympic Park precinct. The proposal seeks consent for the construction and operation of a two-storey cricket centre building housing an internal atrium, gymnasium, community facilities, sports science and sports medicine facilities and offices; two cricket ovals; practice nets; an indoor training facility; machinery shed; and associated car parking landscaping and public domain works.

The EPA has reviewed the EIS provided by the Department of Planning, Industry and Environment (DPIE) and advises the following with regards to contaminated lands. The EPA further advises that due to current limited resources, it is unable to provide advice regarding noise and vibration until early in 2020, following the return from the Christmas/New Year shutdown period of 7 January 2020. As such, EPA advice will be provided in two parts.

**1. Contaminated Lands**

In its review of contaminated land matters, the EPA considered the following reports:

- Ethos Urban, *Environment Impact Statement – NSW Cricket Centre Wilson Park, Sydney Olympic Park*. 1 November 2019. (Chapter 6.3-6.4 of the EIS);
- Douglas Partners, *Report on Contamination Management Plan. Western Sydney Cricket and Community Centre Wilson Park, 4 Newington Road, Silverwater*. Dated 23 October 2019, prepared by Douglas Partners Pty Ltd (contamination assessment report);
- Douglas Partners, *Report on Detailed Site (Contamination) Investigation, 4 Newington Road, Silverwater*. Dated 23 October 2019, prepared by Douglas Partners Pty Ltd. (contamination management plan); and

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- AECOM, *Site Audit Report – FM230 NSW Cricket Association, Wilson Park, Silverwater, NSW.* dated 24 Oct 2019, site audit report by Frank Mohen. Appendix GG of the EIS. (site audit report).

The EPA considers that the requirements to demonstrate compliance with the requirements of State Environmental Planning Policy No.55 – Remediation of Land and the Contaminated Land Management Act 1997 Notice Number: 28040 issued in relation to the site and regulated by the NSW Environment Protection Authority (EPA), and associated Remediation Management Plan have been addressed. A Section B site audit statement and its accompanying site audit report, which stated that the site can be made suitable subject to compliance to a few conditions, were provided as part of the EIS report. The EIS complied with this SEAR for contamination.

The EPA considers that the requirement to provide detailed contamination and geotechnical assessments, to be prepared for the full development area and reviewed by an EPA accredited site auditor, has been addressed. This is because a Section B site audit statement and its accompanying site audit report, which provided evidence of the review undertaken by the EPA accredited Site Auditor, were provided as part of the EIS report.

The EPA considers that the EIS addressed the requirement for detailed contamination assessments to determine the suitability of the site for the proposed development and provide recommendations for any remedial works, if required. The EIS was accompanied by a Contamination Management Plan and a Section B Site Audit Statement which certified that the site can be made suitable subject to compliance to a few conditions.

The EPA considers that the EIS addressed the requirement to delineate areas of heavier contamination within or adjacent to the proposed development area, such as known tar pits, and describe how any risks from such areas will be managed as part of the construction and operation of the proposal. The EIS included contamination assessment report provided as Appendix N and a contamination management plan as Appendix O. The site audit report commented that the contamination management plan requires monitoring and investigation/management should any unexpected conditions be encountered during construction. Future site audit statement is required to confirm that the site is suitable for the proposed use.

The EPA notes that no hazardous material survey report was submitted as part of the EIS. Therefore, the EIS did not comply with the requirement to include a hazardous materials survey of all existing structures and infrastructure prior to any demolition or site preparation works. A hazardous materials survey report is required to be submitted as part of the proponent's response to submission.

Following are recommended conditions of consent that would also be subject to the additional requested information being provided in the proponent's response to submission.

#### Draft conditions of consent

1. The applicant must engage an EPA accredited Site Auditor to issue a Section A Site Audit Statement which certifies that the site is suitable for the proposed land use.
2. The applicant must ensure that the implementation of the contamination management plan would be validated by a suitably qualified environmental consultant, who would document the validation in a validation report. The validation report must be reviewed by an EPA accredited Site Auditor.
3. The applicant must adhere to remedial and management measures specified by an EPA accredited Site Auditor. In particular, the proponent must adhere to the conditions specified in the Section B site audit statement dated 24 Oct 2019 submitted as Appendix GG of the EIS.

4. The applicant must ensure that all reports, management plans and remediation action plan(s) are prepared by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.
5. The applicant must update the site's Hazardous Building Materials Survey on a regular basis. (This is assuming that the applicant will submit a hazardous materials survey as part of the RtS.)
6. The processes outlined in *State Environmental Planning Policy 55 - Remediation of Land* (SEPP55) be followed in order to assess the suitability of the land and any remediation required in relation to the proposed use.
7. The applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination [note that this would render the applicant the 'person responsible' for the contamination under section 6(2) of the *Contaminated Land Management Act 1997*].
8. The EPA is to be re-notified under section 60 of the *Contaminated Land Management Act 1997* for any contamination identified which meets the triggers in the Guidelines for the Duty to Report Contamination  
([www.epa.nsw.gov.au/resources/clm/150164-report-land-contamination-guidelines.pdf](http://www.epa.nsw.gov.au/resources/clm/150164-report-land-contamination-guidelines.pdf))
9. The EPA recommends the use of "certified consultants". Please note that the EPA's *Contaminated Land Consultant Certification Policy*, Version 2, November 2017, (<http://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/18520-contaminatedland-consultant-certification-policy.pdf?la=en>) supports the development and implementation of nationally consistent certification schemes in Australia, and encourages the use of certified consultants by the community and industry. Note that the EPA requires all reports submitted to the EPA to comply with the requirements of the *Contaminated Land Management Act 1997* to be prepared, or reviewed and approved, by a certified consultant.

## 2. Waste, Water, Air Quality

The consent conditions should ensure that the development complies with standard requirements regarding waste management, water management (preventing run-off and subsequent pollution of waters) and appropriate site management to minimise air quality impacts, particularly dust.

Should you require clarification of any of the above please contact Victoria Lee on 9995 5564 or email [victoria.lee@epa.nsw.gov.au](mailto:victoria.lee@epa.nsw.gov.au)

Yours sincerely



16 December 2019

**ROB HOGAN**  
Manager, Contaminated Land Regulation  
Environment Protection Authority