

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. 0503-1613-2

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 **195 Fifteenth Ave**

West Hoxton NSW

Postcode **2171**

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

Lot 2 DP307334, Lots 304-306 DP2475, Lot 346 DP2475

Local Government Area **Liverpool**

Area of Site (eg. hectares) **7.68 Ha**

Current zoning **WSP SEPP Western Sydney
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

** Select as appropriate*

Site audit commissioned by

Name **Luke Wilson** Company **Hansen Yuncken c/- WSPT**
Address **PO BOX 7002**
Alexandria NSW Postcode **2015**
Phone **02 9770 7600** Fax **02 9779 7601**

Name and phone number of contact person (if different from above)

Purpose of site audit

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

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])

Commercial/Industrial Use, Parks Open Space, Childcare Use

Information sources for site audit

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

Golder Associates, Douglas Partners, Zoic

Title(s) of report(s) reviewed

Preliminary Environmental Assessment, 185 Fifteenth Avenue, West Hoxton, Golder Associates, March 2015 (Golder 2015a).

Preliminary Environmental Site Assessment for Commercial Precinct, 195 Fifteenth Avenue, West Hoxton, Golder Associates, May 2015 (Golder 2015b).

Report on Detail Site (Contamination) Investigation, 185 Fifteenth Avenue, West Hoxton, Douglas Partners, July 2015 (DP 2015).

Phase 2 Environmental Site Assessment, Fifteenth Avenue, Business Hib, West Hoxton, NSW, ZOIC, 23 May 2016 (ZOIC 2016a).

Remediation Action Plan, 185-195 Fifteenth Avenue, West Hoxton, NSW, ZOIC, July 2016 (ZOIC 2016b).

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

Site audit report

Title **Site Audit Report, 185 & 195 Fifteenth Ave West Hoxton NSW**

Report no. **JBS&G 51767-104548 (Rev 0)** Date **14 July 2016**

* Select as appropriate

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)~~

~~**subject to compliance with the following environmental management plan**~~

~~(insert title, date and author of plan) in light of contamination remaining on the site:~~

OR

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

Overall comments

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* (*insert title, date and author of plan*)

Remediation Action Plan, 185-195 Fifteenth Avenue, West Hoxton, NSW, ZOIC, July 2016 (ZOIC 2016b).

subject to compliance with the following condition(s):

NIL

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

* Select as appropriate

Overall comments

The site investigation activities are considered to have met generally met the requirements of the Contaminated Sites: Guidelines for the NSW Site Auditor Scheme (2nd Edition) (DEC 2006). Where the investigations did not meet the requirements, these have been acknowledged and appropriate data gap actions have been documented in the RAP prepared for the site (Zoic 2016b).

The investigations undertaken at the site have identified the need for remediation works in order to make the site suitable for the proposed uses. The RAP developed for the site (Zoic 2016b) documents the required actions to address the identified contamination issues and the proposed remediation works are considered to be: technically feasible; environmentally justifiable; and consistent with relevant laws, policies and guidelines, as per the requirements of DEC 2006.

An assessment of groundwater at the neighbouring site (185 Fifteenth Avenue) identified the presence of petroleum-based impacts which appear to be associated with the former UST. However, there is no evidence that contamination has migrated, or will migrate, onto the site and/or pose any unacceptable risks to either on-site or off-site receptors.

Following the implementation of the RAP (Zoic 2016b), a validation report must be prepared by a suitably qualified and experienced contaminated land consultant to demonstrate that the remedial works and data gap verification works were appropriately undertaken. A site auditor should review the remediation and validation works in order to confirm the suitability of the site prior to occupation for the proposed uses.

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.



Andrew Lau

14 July 2016

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.