



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 12 October 2017. For information about completing this form, go to Part IV.

Part I: Site audit identification

Site audit statement no. **279B**

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 Dr Ian C Swane

Company Ian Swane & Associates Pty Ltd

Address PO Box 359, Mortdale NSW

Postcode 2223

Phone 0418 867 112

Email iswane@bigpond.com

Site details

Address Lindfield Learning Village at 100 Eton Road, Lindfield (refer **Figure 1**)

Postcode 2070

Property description

(Attach a separate list if several properties are included in the site audit.)

Lots 2 and 4 in DP1151638 – refer subdivision plan in **Figure 1**

Local government area Ku-ring-gai Council

Area of site (include units, e.g. hectares) 5 ha (50,000 m²) approximate

Current zoning B4 mixed use, E3 environmental management and R1 general residential

Regulation and notification

To the best of my knowledge:

☐ ~~the site is the subject of a declaration, order, agreement, proposal or notice under the Contaminated Land Management Act 1997 or the Environmentally Hazardous Chemicals Act 1985, as follows: (provide the no. if applicable)~~

☐ ~~Declaration no.~~

☐ ~~Order no.~~

☐ ~~Proposal no.~~

☐ ~~Notice no.~~

☒ **the site is not** the subject of a declaration, order, proposal or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985*.

To the best of my knowledge:

☐ ~~the site has been notified to the EPA under section 60 of the Contaminated Land Management Act 1997~~

☒ the site **has not** been notified to the EPA under section 60 of the *Contaminated Land Management Act 1997*.

Site audit commissioned by

Name Rebecca Willott

Company Department of Education

Address Level 8, 259 George Street, Sydney NSW

Postcode 2000

Phone +61 (0) 421 050 098

Email Rebecca.willott@det.nsw.edu.au

Contact details for contact person (if different from above)

Name Sasha Serrao (Project Manager), Savills Australia

Phone +61 (0) 433 701 545

Email sserrao@savills.com.au

Nature of statutory requirements (not applicable for non-statutory audits)

☐ ~~Requirements under the *Contaminated Land Management Act 1997* (e.g. management order; please specify, including date of issue)~~

☐ ~~Requirements imposed by an environmental planning instrument (please specify, including date of issue)~~

☒ Development consent requirements under the *Environmental Planning and Assessment Act 1979* (please specify consent authority and date of issue)

NSW Department of Planning (24/10/18) '*Partial Development Consent, State Significant Development Application No: 8114*' (Ref [28])

☐ ~~Requirements under other legislation (please specify, including date of issue)~~

Purpose of site audit

☒ **A1** To determine land use suitability

Intended uses of the land: Preschool, primary and secondary school (corresponds to Residential A land use in NEPM 2013 guidelines)

~~OR~~

☐ ~~**A2** To determine land use suitability subject to compliance with either an active or passive environmental management plan (EMP)~~

~~Intended uses of the land:~~

~~OR~~

(Tick all that apply)

☐ ~~**B1** To determine the nature and extent of contamination~~

☐ ~~**B2** To determine the appropriateness of:~~

☐ ~~an investigation plan~~

☐ ~~a remediation plan~~

☐ ~~a management plan~~

☐ ~~**B3** To determine the appropriateness of a **site testing plan** to determine if groundwater is safe and suitable for its intended use as required by the *Temporary Water Restrictions Order for the Botany Sands Groundwater Resource 2017*~~

☐ ~~**B4** To determine the compliance with an approved:~~

☐ ~~**voluntary management proposal** or~~

☐ ~~**management order** under the *Contaminated Land Management Act 1997*~~

☐ ~~**B5** To determine if the land can be made suitable for a particular use (or uses) if the site is remediated or managed in accordance with a specified plan.~~

Information sources for site audit

Consultancies which conducted the site investigations and/or remediation:

Environmental Investigation Services (EIS), G-tek Australia

Titles of reports reviewed:

1. EIS (15 March 2017) '*Preliminary Environmental Site Assessment for Proposed Lindfield Learning Village Development at Eton Road, Lindfield*'. Document No: E30259KMrpt prepared for Designinc Sydney Pty Ltd
2. EIS (16 October 2017) '*Preliminary Stage 2 Environmental Site Assessment for Proposed Lindfield Learning Village Development at Eton Road, Lindfield*'. Document No: E30259KMrpt2 prepared for Designinc Sydney Pty Ltd
3. EIS (16 August 2018) '*Remediation Action Plan for Proposed Lindfield Learning Village Development at Eton Road, Lindfield*'. Document No: E30259KMrpt3_RAP prepared for Designinc Sydney Pty Ltd
4. EIS (17 October 2018) '*Visual Asbestos Clearance Certificate, Proposed Lindfield Learning Village Development, 100 Eton Road, Lindfield, NSW*'. Document No: E30259KDlet.Clr prepared for NSW Department of Education
5. G-tek Australia (29 October 2018) '*Post Activity Report, Unexploded Ordnance Field Validation Survey, Lindfield Learning Village NSW*'. Version 1.01, Document No: 18090ENIN prepared for Designinc
6. EIS (21 November 2018) '*Remediation Action Plan – Addendum, Proposed Lindfield Learning Village Development, 100 Eton Road, Lindfield, NSW*'. Document No: E30259KMrpt3_RAP_Addendum prepared for NSW Department of Education
7. EIS (29 January 2019) '*Detailed Site Investigation for Proposed Lindfield Learning Village Development at 100 Eton Road, Lindfield, NSW*'. Document No: E30259KDrpt4 prepared for NSW Department of Education
8. EnRisks (24 January 2019) '*HHRA Advice for 100 Eton Rd Lindfield (Lindfield Learning Village)*'. Prepared for Environmental Investigation Services
9. EIS (1 March 2019) '*Soil Validation Assessment for Proposed Lindfield Learning Village Development at 100 Eton Road, Linfield, NSW*'. Document No: E30259KDrpt-VAL prepared for NSW Department of Education

Other information reviewed, including previous site audit reports and statements relating to the site:

20. Ku-ring-gai Municipal Council (March 1998) '*Soil Landscapes of Ku-ring-gai*'. 78 pages
21. Ku-ring-gai Municipal Council (May 1998) '*Geology of Ku-ring-gai*'. 19 pages
22. Noel Arnold & Associates (11 September 2012) '*Preliminary Site Investigation, Proposed Residential Development, Screen Australia, 101 Eton Road, Lindfield 2070*'. Document No: C108945:J111383 prepared for Screen Australia
23. Environmental Earth Sciences NSW (15 February 2013) '*Environmental Site Assessment (ESA) at 101 Eton Road, Lindfield, NSW*'. Document No: 113019_V2 prepared for Screen Australia
24. Perumal Murphy Alessi (March 2013) '*Heritage Assessment, Screen Australia, No. 101 Eton Road, Lindfield*'. Document No: PM-12065 prepared for Screen Australia

25. STS GeoEnvironmental (February 2016) '*Geotechnical Investigation for Eon Developments Pty Limited, 101 Eton Road, Lindfield, New South Wales*'. Document No: 16/0382 prepared for Eon Developments
26. STS GeoEnvironmental (January 2017) '*Geotechnical Investigation for Eon Lindfield Development Pty Limited, 101 Eton Road, Lindfield, New South Wales*'. Document No: 17/0012 prepared for Eon Developments
27. Greencap (26 May 2016) '*Remedial Action Plan, 101 Eton Road, Lindfield, NSW*'. Document No: C108945:J142129 prepared for City Projects and Developments
28. NSW Department of Planning (24 October 2018) '*Partial Development Consent, State Significant Development Application No: 8114*'. 37 pages
29. Ku-ring-gai Council (2 February 2018) '*Ku-ring-gai Local Environmental Plan 2015, Land Zoning Map – Sheet LZN_015*'
30. Ku-ring-gai Council (2 February 2018) '*Ku-ring-gai Local Environmental Plan 2015, Terrestrial Biodiversity Map – Sheet BIO_015*'
31. Ku-ring-gai Council (2 February 2018) '*Ku-ring-gai Local Environmental Plan 2015, Acid Sulphate Soils Map – Sheet ASS_015*'
32. Swane IC (25 January 2019) Site Audit Statement 279 and Site Audit Report for '*Proposed Lindfield Learning Village Development at 100 Eton Road, Lindfield NSW 2070*'

Site audit report details

Title **Site Audit Report 279B by Dr Ian Swane, Proposed Lindfield Learning Village Development at 100 Eton Road, Lindfield, NSW 2070**

Report no. **279B**

Date **3 May 2019**

Part II: Auditor's findings

Please complete either Section A1, Section A2 or Section B, not more than one section.
(Strike out the irrelevant sections.)

- Use **Section A1** where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land uses **without the implementation** of an environmental management plan.
- Use **Section A2** where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land uses **with the implementation** of an active or passive environmental management plan.
- Use **Section B** where the audit is to determine:
 - (B1) the nature and extent of contamination, and/or
 - (B2) the appropriateness of an investigation, remediation or management plan¹, and/or

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

- (B3) the appropriateness of a site testing plan in accordance with the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2017*, and/or
- (B4) whether the terms of the approved voluntary management proposal or management order have been complied with, and/or
- (B5) whether the site can be made suitable for a specified land use (or uses) if the site is remediated or managed in accordance with the implementation of a specified plan.

Section A1

I certify that, in my opinion:

The **site is 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): The school development specified by Partial Development Consent issued by the NSW Department of Planning for State Significant Development Application No: 8114 (Ref [28]).

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:

1. This site audit statement (SAS) should be read in conjunction with the Site Audit Report (SAR). The SAR provides:
 - a) A detailed review of the documentation that was provided on the investigation, remediation and validation work conducted at the site; and
 - b) An assessment of the contamination risks that remain at the site and its suitability for the intended land uses.
2. All known contaminated soils were removed from the site and disposed to licensed waste facilities. There is a low risk of unknown asbestos or other types of contaminated soil remaining on-site because of the investigations that have been conducted. Unknown contaminated soil that may be found in the future (e.g. fibro

fragments) should be of a trivial nature and capable of being readily removed in accordance with regulatory requirements.

3. Old buried services, such as telecommunication pits and conduits, that remain at the site may contain asbestos. Any such buried structures that may be found in the future should be left undisturbed and noted on the site's asbestos register or removed in accordance with regulatory requirements.
4. Small quantities of hazardous building materials (e.g. asbestos) remain in existing buildings at the site and are noted on the Site's asbestos register.
5. Groundwater at the site should not be extracted for beneficial reuse unless an assessment is undertaken in accordance with NSW EPA guidance showing that contaminated groundwater from 101 Eton Road and other surrounding properties will not be drawn onto the site.
6. Materials imported to the site for landscaping or other reasons must not be contaminated and must meet NSW EPA requirements for VENM or landscaping material.

Section A2

~~I certify that, in my opinion:~~

~~Subject to compliance with the attached environmental management plan² (EMP), the site is 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):~~

~~EMP details~~

~~Title~~ _____

~~Author~~ _____

~~Date~~ _____ ~~No. of pages~~ _____

² Refer to Part IV for an explanation of an environmental management plan.

EMP summary

~~The EMP: (Tick appropriate box and strike out the other option.)~~

~~☐ requires operation and/or maintenance of **active** control systems³~~

~~☐ requires maintenance of **passive** control systems only³.~~

~~Purpose of the EMP:~~

~~Description of the nature of the residual contamination:~~

~~Summary of the actions required by the EMP:~~

~~How the EMP can reasonably be made to be legally enforceable:~~

~~How there will be appropriate public notification:~~

~~Overall comments:~~

Section B

~~Purpose of the plan⁴ which is the subject of this audit:~~

~~I certify that, in my opinion:~~

~~(B1)~~

~~☐ The nature and extent of the contamination **has** been appropriately determined~~

~~☐ The nature and extent of the contamination **has not** been appropriately determined~~

~~AND/OR (B2)~~

~~☐ The investigation, remediation or management plan **is** appropriate for the purpose stated above~~

~~☐ The investigation, remediation or management plan **is not** appropriate for the purpose stated above~~

~~AND/OR (B3)~~

~~☐ The site testing plan:~~

~~☐ **is** appropriate to determine~~

~~☐ **is not** appropriate to determine~~

~~if groundwater is safe and suitable for its intended use as required by the *Temporary Water Restrictions Order for the Botany Sands Groundwater Resource 2017*~~

~~AND/OR (B4)~~

³ Refer to Part IV for definitions of active and passive control systems.

⁴ For simplicity, this statement uses the term 'plan' to refer to both plans and reports.

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~~☐ The terms of the approved voluntary management proposal* or management order** (strike out as appropriate):~~

~~☐ have been complied with~~

~~☐ have not been complied with:~~

~~*voluntary management proposal no:~~

~~**management order no:~~

AND/OR (B5)

~~☐ 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 plan (**attached**):~~

~~*Strike out as appropriate~~

~~Plan title~~

~~Plan author~~

~~Plan date~~

~~No. of pages~~

~~SUBJECT to compliance with the following condition(s):~~

~~Overall comments:~~

Part III: Auditor's declaration

I am accredited as a site auditor by the NSW Environment Protection Authority (EPA) under the *Contaminated Land Management Act 1997*.

Accreditation no. **9821**

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.



Signed

Date 3 May 2019

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

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

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

The auditor is to complete either Section A1 or Section A2 or Section B of Part II, **not** more than one section.

Section A1

In Section A1 the auditor may conclude that the land is *suitable* for a specified use or uses 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 investigation or remediation or management of the site was needed to render the site fit for the specified use(s). **Conditions must not be** imposed on a Section A1 site audit statement. Auditors may 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.

Section A2

In Section A2 the auditor may conclude that the land is *suitable* for a specified use(s) subject to a condition for implementation of an environmental management plan (EMP).

Environmental management plan

Within the context of contaminated sites management, an EMP (sometimes also called a 'site management plan') means a plan which addresses the integration of environmental mitigation and monitoring measures for soil, groundwater and/or hazardous ground gases throughout an existing or proposed land use. An EMP succinctly describes the nature and location of contamination remaining on site and states what the objectives of the plan are, how contaminants will be managed, who will be responsible for the plan's implementation and over what time frame actions specified in the plan will take place.

By certifying that the site is suitable subject to implementation of an EMP, an auditor declares that, at the time of completion of the site audit, there was sufficient information satisfying guidelines made or approved under the *Contaminated Land Management Act 1997* (CLM Act) to determine that implementation of the EMP was feasible and would enable the specified use(s) of the site and no further investigation or remediation of the site was needed to render the site fit for the specified use(s).

Implementation of an EMP is required to ensure the site remains suitable for the specified use(s). The plan should be legally enforceable: for example, a requirement of a notice under the 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*.

Active or passive control systems

Auditors must specify whether the EMP requires operation and/or maintenance of active control systems or requires maintenance of passive control systems only. Active management systems usually incorporate mechanical components and/or require monitoring and, because of this, regular maintenance and inspection are necessary. Most active management systems are applied at sites where if the systems are not implemented an unacceptable risk may occur. Passive management systems usually require minimal management and maintenance and do not usually incorporate mechanical components.

Auditor's comments

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.

Section B

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 the appropriateness of a site testing plan in accordance with the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2017*, and/or whether the terms of an approved voluntary management proposal or management order made under the CLM Act have been complied with, and/or whether the site can be made suitable for a specified land use or uses if the site is remediated or managed in accordance with the implementation of a specified 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. The condition must not specify an individual auditor, only that further audits are required.

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.

Part III

In **Part III** the auditor certifies their 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

- the **NSW Environment Protection Authority**:
nswauditors@epa.nsw.gov.au or as specified by the EPA

AND

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

Figure 1 Subdivision Plan

(Source: Figure 1, Ref [4])

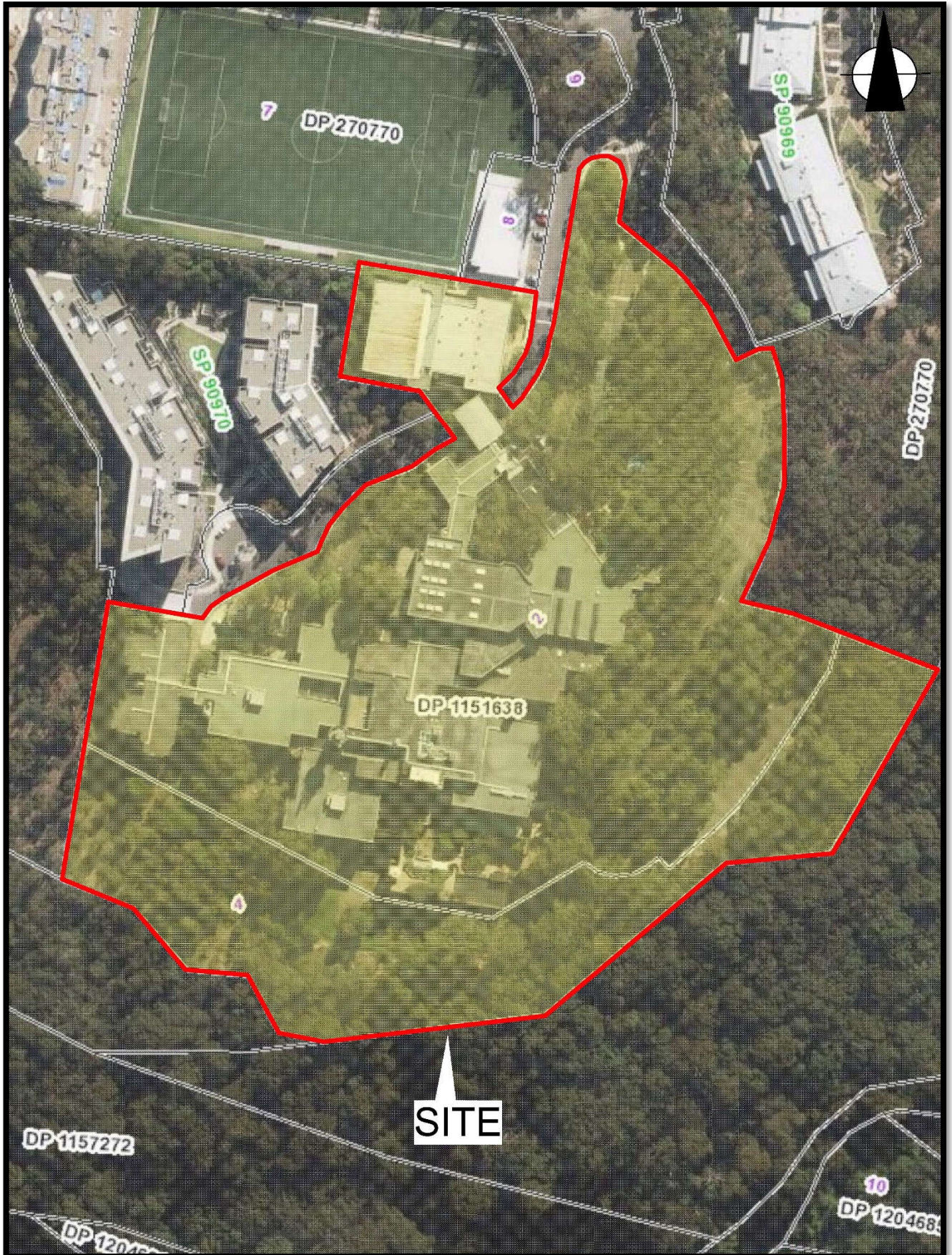


Figure 2 Site Plan

(Source: Ref [32])

