

Statement to support the application for DA modification s.4.55 with regards to DA-310/2022

Dear Council Planner

Dr Jeffrey YU, the principal environmental consultant from Dr Upsilon Environment, has been requested by the client, Arquero Architects to write the letter in order to support the DA modification s.4.55 application with regards to DA-310/2022 at 65 Victor Avenue, Picnic Point, NSW, following the latest Data Gap Investigation report and an updated Remedial Action Plan.

Background

Several environmental investigation reports and management plans were conducted for the site at 65 Victor Avenue, Picnic Point, NSW

- Preliminary Site Investigation and Assessment Report (Ref. No. E34773Brpt, JK, dated 10 March 2022)
- Detailed Site Investigation and Assessment Report (Ref. No.: E34773Brpt2, JK, dated 26 October 2022)
- Remedial Action Plan (Ref. No.: E34773Brpt3-RAP Picnic Point, JK, dated 22 November 2022)
- HAZMAT Survey (Ref. No.: E34773BLrpt5-HAZ, JK, dated 22 November 2022)
- Asbestos Management Plan (Ref. No.: E34773Brpt4-AMP, dated 22 November 2022)
- Data Gap Site Investigation Report (Ref. No.: DRYU458J_DGI_V1_65 Victor Avenue, Picnic Point, NSW_18102024, DRYU, dated 18 October 2025)
- An updated Remedial Action Plan (Ref. No.: DRYU559J_RAP_V1_65 Victor Avenue, Picnic Point, NSW_05042025, DRYU, dated 05 April 2025)

All other reports (except JK RAP) by JK Environment are still applicable.

The updated Remedial Action Plan and Data Gap Investigation report fulfilled the requirements by the JK investigation reports and plan. Furthermore, DRYU reports delineated the extent and nature of soil contamination with 13 test pits and 3 boreholes. DRYU recommended that dewatering groundwater quality monitoring program shall be conducted during construction stage for groundwater seepage dewatering management.

Asbestos Contamination Delineation

The DRYU's Data Gap Investigation report (DGI) provided a sufficient level of data for the Client to address the council requirements and to assess the data gaps of potential contamination on the site.

Asbestos (friable and bonded) impacted soil was delineated into the backyard and building footprint area rather than topsoil/fill at the whole lot, which was found to be up to around 0.4 mBGL, not up to 1.5 mBGL in the front yard).

The main findings and conclusion from the DGI were summarised in the following:

- South-eastern house footprint around JK BH4 (bonded ACM) was **not** observed with foreign materials and was **not** detected with asbestos
- The front yard section (TP01~TP07) was **not** observed with any ash, slag and building rubble materials and was **not** detected with asbestos. The subsurface profiles were just natural clay, which was contradictory to JK's fieldwork observation: "The fill soil

encountered inclusions of ash, slag and building rubble (brick fragments)", rather than approximately 1.5 mBGL around JK's BH2.

- In contrast to JK findings, the back yard with friable and bonded asbestos contamination were just identified within relatively shallow topsoil contamination up to around 0.4 mBGL,
- Among 13 test pit locations for asbestos by gravimetric testing, fibro-cement fragments over 7 mm in dimensions during onsite sieving were only sighted and detected in two locations, BH12_0.0-0.35FC01 (10 g, 0.009%w/w) and TP14_0.0-0.2FC01 (15 g, 0.014%w/w, exceeding the HSL-A 0.01%w/w). Additionally, NEPM gravimetric testing also detected bonded ACM fragment in TP08_0.0-0.2 (0.04%w/w) and TP16_0.1-0.4 (0.05%w/w).
- Friable asbestos was detected in two locations at the backyard: TP08_0.0-0.2 (0.001%w/w), BH16_0.1-0.4 (AF 0.003%w/w), exceeding the HSL-A for friable asbestos.
- The concentrations of all other contaminants of potential concern from sixteen test pits/boreholes were below the laboratory limit of reporting or below the guideline Tier One Site Assessment Criteria.

Groundwater Contamination

Based on the DGI soil characterisation data, DRYU argued that the groundwater contamination could be just baseline levels, or unlikely, if not impossible. Therefore, the elevated concentrations of contaminants could be minor or be closed to baseline level. According to JK DSI report, bedrocks such as siltstone, sandstone were found relatively consistent across the site from around 1.5 mBGL. Groundwater seepage is likely to be encountered during deep excavation. Groundwater quality investigation is required during construction dewatering stage for discharge or ex-site treatment.

The DGI investigation found the following

- No contamination at residual soil;
- Virgin natural materials below topsoil around TP01 up to 1.25 mBGL and TP02_0.0-0.75 had no exceedance of TRHs, PAHs and heavy metals, etc.
- Neither point sources or diffuse sources were identified onsite nor the offsite migrations from commercial or industrial sources were identified within 1 Km data buffer; and
- No unusual staining in soil

Discussion

DRYU Remedial Action Plan was just an updated version based on data gap investigation with 13 test pits and 3 boreholes for contamination delineation.

Therefore, considering the relatively small scale, nature and extent of site contamination, DRYU is appreciated that the planner to modify the CoA 1.6:

1.6. Before the issue of a construction certificate, the site is to be remediated in accordance with:

- a. ~~The approved Remedial Action Plan, prepared by JK Environments (JKE), titled 'REMEDIATION ACTION PLAN', dated 22 November 2022, reference E34773Brpt3-RAP;~~
The updated Remedial Action Plan, prepared by DRYU, titled "Remedial Action Plan, dated 05 April, 2025, reference DRYU559J_RAP_V1;
 - b. State Environmental Planning Policy (Resilience and Hazards) 2021;
 - c. The guidelines in force under the Contamination Land Management Act 1997;
- The applicant must engage an appropriately qualified and experienced environmental consultant to supervise all aspects of site remediation and validation.
Any variations to the approved remedial action plan must be submitted to and approved in writing ~~by an NSW EPA Accredited Site Auditor and Council~~ prior to the continuing of such work.

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06 April 2025

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