



## 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. LW-030

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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 Louise Walkden

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Company Ramboll Australia Pty Ltd

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Address Level 3, 100 Pacific Highway, North Sydney

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Postcode 2060

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Phone 02 9954 8100

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Email lwalkden@ramboll.com

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#### Site details

Address: Western Sydney University Milperra Campus, 2 & 2a Bullecourt Avenue, Milperra

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Postcode: 2214

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#### Property description

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

Lot 105 DP 1268911 and Lot 1 DP 101147

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Local government area: City of Canterbury Bankstown

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Area of site (include units, e.g. hectares): approximately 20 ha

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Current zoning: SP2 Infrastructure

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## 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: Theo Zotos

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Company: Mirvac Residential (NSW) Developments Pty Ltd

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Address: Level 28, 200 George Street, Sydney, NSW

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Postcode: 2000

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Phone: +61 2 9080 8062

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Email: theo.zotos@mirvac.com

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## Contact details for contact person (if different from above)

Name: N/A

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Phone:

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Email:

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**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)

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

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

Condition of determination under section 3.34(2) of the Environmental Planning and Assessment Act 1979 for amendment of the Bankstown Local Environmental Plan 2015 as documented in the NSW Department of Planning and Environment 'Gateway determination report – PP-2021-5837 Western Sydney University Milperra Campus' dated 1 June 2022 and signed by Executive Director Metro East and South at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes.

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

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### Purpose of site audit

- ☐ **A1** To determine land use suitability

Intended uses of the land:

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OR

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

Intended uses of the land:

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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.

Intended uses of the land: Residential

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### Information sources for site audit

Consultancies which conducted the site investigations and/or remediation:

Coffey Environments Pty Ltd (Coffey)

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Environmental Investigation Services Pty Ltd (EIS)

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Noel Arnolds and Associates (NAA)

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JBS&G Australia Pty Ltd (JBS&G)

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Alliance Geotechnical Pty Ltd (AG)

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Titles of reports reviewed:

- 'Phase 2 Environmental Site Assessment – Student Residence Development University of Western Sydney, Bankstown Campus', 25 August 2011, Coffey
- 'Soil Contamination Investigation, University of Western Sydney – Bankstown Campus Bullecourt Avenue, Milperra NSW', October 2011, NAA
- 'Preliminary Contamination Screening and Waste Classification, Proposed Oval Facilities, UWS Bankstown Campus, 2 Bullecourt Avenue, Milperra', 7 April 2016, EIS
- 'Phase 1 Environmental Assessment Report, Bullecourt Avenue, Milperra NSW', 7 February 2018, JBS&G
- 'Detailed Site Investigation, Bullecourt Avenue, Milperra NSW', 30 January 2020, AG
- 'Remediation Action Plan Western Sydney University – Milperra Campus, Horsley Rd & Bullecourt Ave, Milperra, NSW 2214', 15 September 2022, AG

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

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**Site audit report details**

Title	Remediation Action Plan, Western Sydney University Campus, 2 and 2A Bullecourt Avenue, Milperra
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Report no.	LW-030 (Ramboll Ref: 318001500)	Date: 27 September 2022
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## 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 plan<sup>1</sup>, and/or
  - (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.

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

## 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):~~

**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 A2

### I certify that, in my opinion:

Subject to compliance with the attached environmental management plan<sup>2</sup> (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: \_\_\_\_\_

### EMP summary

This EMP (attached) is required to be implemented to address residual contamination on the site.

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

- ☐ ~~requires operation and/or maintenance of **active** control systems<sup>3</sup>~~
- ☐ ~~requires maintenance of **passive** control systems only<sup>3</sup>.~~

<sup>2</sup> Refer to Part IV for an explanation of an environmental management plan.

<sup>3</sup> Refer to Part IV for definitions of active and passive control systems.



Purpose of the EMP:

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Description of the nature of the residual contamination:

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Summary of the actions required by the EMP:

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

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How there will be appropriate public notification:

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Overall comments:

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## Section B

Purpose of the plan<sup>4</sup> which is the subject of this audit:

Remediation Action Plan for remediation of the site to make it suitable for residential site use

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### 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)

- ☐ ~~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.~~

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~~\*\*management order no.~~

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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

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

- ☒ 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):~~

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IF the site is remediated/~~managed~~\* in accordance with the following plan (**attached**):

\*Strike out as appropriate

Plan title: 'Remedial Action Plan, Western Sydney University – Milperra Campus, Horsley Rd & Bullecourt Ave, Milperra, NSW 2214'

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Plan author: Alliance Geotechnical Pty Ltd

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Plan date: 15 September 2022

No. of pages: 96

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SUBJECT to compliance with the following condition(s):

1. Development of a sampling analysis and quality plan (SAQP) for the data gap assessment and review and approval by a NSW EPA Accredited Site Auditor.

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2. The data gap assessment is to be completed following building demolition and removal of hardstand and prior to commencement of bulk earthworks.

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3. Should the results of the data gap assessment indicate the requirement for a change in the remediation strategy, the requirements for remediation of groundwater or ground gas issues, or should containment of asbestos impacted soils be confirmed as a remediation strategy, a revision to the RAP (either as an addendum to the RAP or as a remedial works plan (RWP)) will be required, which should be reviewed and approved by a NSW EPA Accredited Site Auditor.

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4. Validation of the remediation works is required to be documented in a final site validation report prepared by a qualified environmental consultant confirming that the works have been undertaken in accordance with the RAP and certifying the suitability of the site for the proposed development.

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5. Preparation of an environmental management plan (EMP) for the management of any contamination remaining on site following redevelopment that presents a risk to human health or the environment.

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6. Preparation of a Section A Site Audit Statement and Site Audit Report by a NSW EPA Accredited Site Auditor reviewing the above information and confirming the suitability of the site for the intended use.

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Overall comments:

The site is currently used as a Western Sydney University campus and has historically been used for residential and agricultural purposes (market gardens) prior to development as an educational facility in the late 1960s. Previous site activities with the greatest potential to cause contamination include use of pesticides, hazardous building materials, filling of land and storage and use of fuels.

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Potential off-site sources of contamination include industrial use of land and Bankstown Airport to the north and Kelso Waste Facility to the south.

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The site is the subject of a rezoning application to allow residential site use. The final development design is not currently known but is to include low-density residential land use and public open space. The development will involve demolition of existing site structures and bulk earthworks to achieve the required development levels.

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Historical investigations at the site indicate that widespread chemical contamination of soils and groundwater is not present. Asbestos containing materials (ACM) as bonded fragments of ACM and as fibre bundles have been detected in surface soils and fill at the site. Additional investigation is required to confirm the extent of asbestos impacted soils that require remediation or management. Data gaps in relation to soil and groundwater conditions in previously inaccessible areas (building footprints and below other structures) also require assessment. While the risk to future site users from migration of hazardous ground gas and groundwater contamination is considered to be low, additional investigation is required to fully assess these risks. In the Auditor's opinion, the contamination status of the site is sufficiently well known for remediation planning purposes.

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A remediation action plan (RAP) was prepared to address the data gaps and document the remediation strategy for asbestos in soils. The RAP also includes contingency remediation options for addressing groundwater and ground gas contamination (if required) and unexpected finds.

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The proposed remediation strategy of excavation and off-site disposal of asbestos impacted soils is practical, technically feasible and appropriate for the contamination identified. The practicality and appropriateness of containment of impacted soils and ongoing management through an EMP is to be assessed based on the final development design and in consultation with Council. The feasibility of the cap and containment method will require review following the final development design and should be documented in a RAP addendum and reviewed by an Auditor.

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If adequately implemented, the RAP should be able to ensure that the site is suitable for the proposed residential land use through assessment of data gaps and removal of asbestos impacted soils, subject to compliance with the conditions outlined above.

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## 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. 1903

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### 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: 27 September 2022

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## 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](mailto: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.