

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. GN 416-22

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: Graeme Nyland

Company: Ramboll Environ Australia Pty Ltd

Address: Level 3, 100 Pacific Highway (PO Box 560)

North Sydney NSW

Postcode: 2060

Phone: 02 9954 8100

Fax: 02 9954 8150

Site details

Address: Proposed Lot H of the former Pasminco Cockle Creek Smelter, which has a street address of 13a Main Road, Boolaroo, NSW 2284. Lot H fronts Munibung Road.

Postcode: 2284

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

Part Lot 2 DP 1127713, Proposed Lot H (See Attachment at end of Part I of this statement)

Local Government Area: Lake Macquarie

Area of site (e.g. hectares): 7999 m²

Current zoning: SP1 Special Activities (Hazardous Storage Establishment – Containment Cell)

To the best of my knowledge, the site ~~is~~**is not*** the subject of a declaration, order, agreement or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985*.

Declaration/Order/Agreement/Proposal/Notice* no(s):

Declaration of Remediation Site 21027 dated 10 September 2002 and Remediation Order 23008 dated 1 July 2003

***Strike out as appropriate**

Site audit commissioned by

Name: [REDACTED]

Company: Fitzwalter Group on behalf of
Pasminco Cockle Creek Smelter Pty Ltd

Address: PO Box 42, Boolaroo NSW

Postcode: 2284

Phone: [REDACTED]

Fax: NA

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

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]

Purpose of site audit

- ☒ A. To determine land use suitability (*please specify intended use[s]*)

Proposed to be rezoned for mixed uses including potentially childcare.

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]*)~~

.....

Information sources for site audit

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

- Fitzwalter Group Pty Ltd (Fitzwalter Group)
- RCA Australia (RCA)
- WSP Environmental & Energy (WSP)
- Golder Associates Pty Ltd (Golder)

Title(s) of report(s) reviewed:

- 'Site-wide Pre-remediation Groundwater Report – October 2010', January 2011, WSP.
- 'Environmental Monitoring Report (June 2014) – Former PCCS Facility, Boolaroo, NSW', 23 September 2014, Golder.
- 'Groundwater Monitoring and Management Plan', 21 November 2014, Golder.
- 'Factual Groundwater Monitoring Well Installation and Sampling Report September 2014 – Former PCCS Facility, Boolaroo, NSW' 19 November 2014, Golder

****Strike out as appropriate***

- 'Environmental Monitoring Report (December 2014) – Former PCCS Facility, Boolaroo, NSW' 20 April 2015, Golder
- 'Former PCCS Facility, Boolaroo, NSW – Proposed Amendments to Post-Remediation Groundwater Monitoring', 9 June 2015, Golder
- 'Quality Assurance/Quality Control Review Parcel 5, Pasminco Cockle Creek Smelter, Boolaroo, NSW', June 2015, RCA
- 'Lot 604 Validation Report, Former Pasminco Cockle Creek Smelter, Boolaroo', September 2015, RCA
- Lot 1003 Validation Report, Former Pasminco Cockle Creek Smelter, Boolaroo', December 2015, RCA
- 'Lot 603 Validation Report, Former Pasminco Cockle Creek Smelter, Boolaroo', April 2016 (and draft dated February 2015), RCA
- 'Dam Summary Report for Parcel 4 and Parcel 5 PCCS, Boolaroo', 27 April 2016, RCA
- 'Groundwater Monitoring and Management Plan – Revision 1', 17 June 2016, Golder, 2016
- 'Update of Activities Undertaken on Parcels 4 and 5 Sites Following Remediation and Validation PCCS Boolaroo', 5 July 2016, RCA
- 'Proposed Lot H Summary Report, Former Pasminco Cockle Creek Smelter, Boolaroo', 27 October 2016 , RCA

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

- 'Site Audit Report [sic] and Summary Site Audit Report, Lot 201 in DP805914, Pasminco Cockle Creek Smelter, Boolaroo, NSW', dated 16 January 2004 (SAS WRR127 dated 16 January 2004) by HLA.
- 'Site Audit Report, Review of Interim Groundwater Control and Monitoring Proposal, Pasminco Cockle Creek Smelter Site, 13a Main Road, Boolaroo, NSW', dated 15 November 2005 by HLA.
- 'Site Audit Report, Review of Site-wide Remediation Action Plan, Pasminco Cockle Creek Smelter Site, 13a Main Road, Boolaroo NSW', dated 17 November 2005 (SAS WRR127/3 dated 16 December 2005) by HLA.
- 'Site Audit Report, Review of Interim Groundwater Management Plan, Pasminco Cockle Creek Smelter Site, 13a Main Road, Boolaroo NSW', dated 13 February 2007 by HLA.
- 'Site Audit Report Remediation Action Plan, Parcel 5 – Smelter Site, Pasminco Cockle Creek', and Site Audit Statement GN416-2A, 27 August 2009 by Environ.
- 'Interim Advice Letter – Auditor Review of the Post Remediation Groundwater Monitoring and Management Plan, Pasminco Cockle Creek Smelter', 24 November 2014 by Environ.
- 'Auditor Review of Site Wide Post Remediation Groundwater Monitoring', 13 July 2016, by Ramboll Environ.

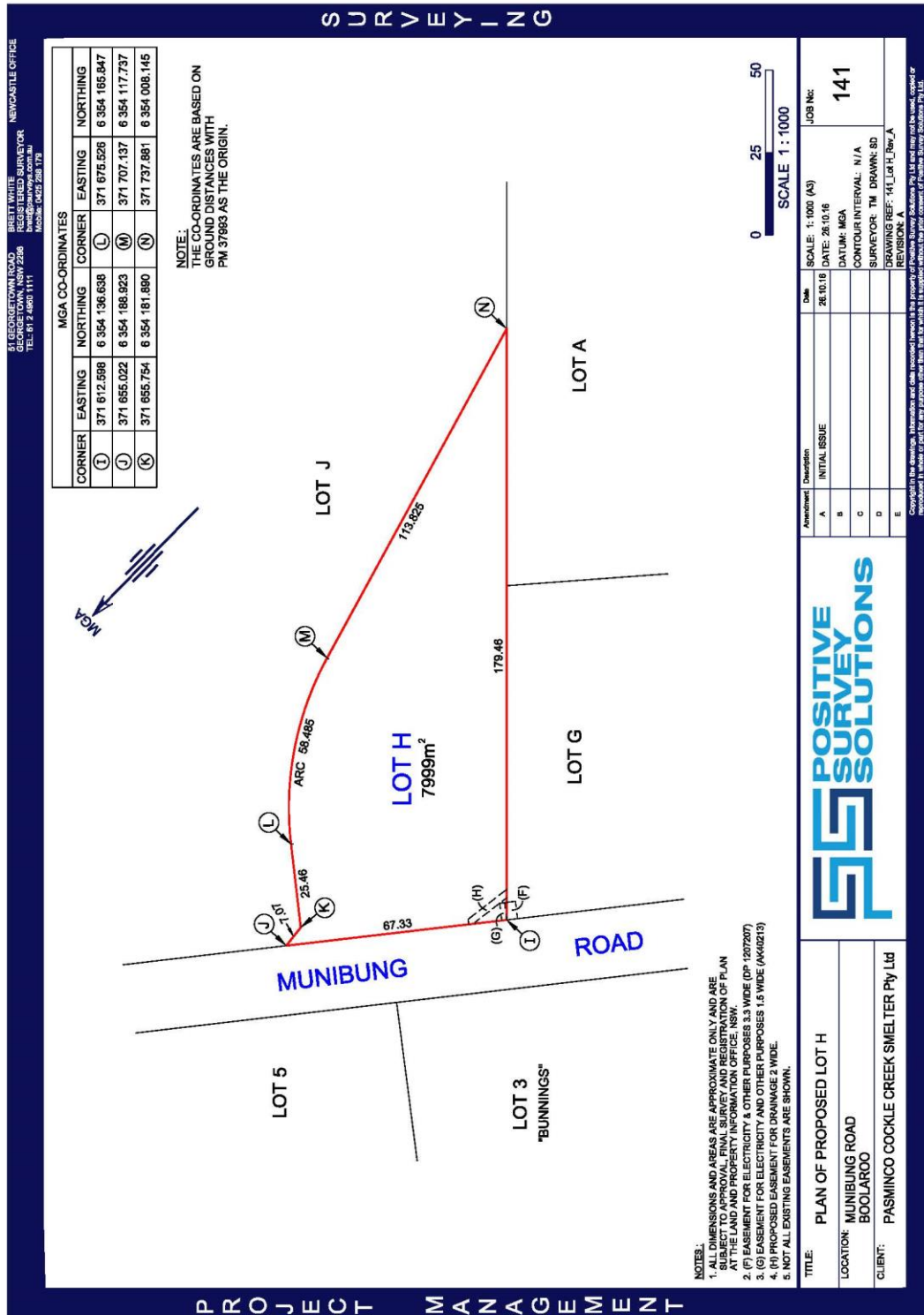
Site audit report

Title: Site Audit Report – Lot H, Pasminco Cockle Creek, Boolaroo, NSW

**Strike out as appropriate*

Report no. GN 416-22 (Ramboll Environ Ref: AS120933)

Date: 23rd November 2016



***Strike out 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:

The site was part of the Pasminco Cockle Creek Smelter (PCCS) site. Soil contaminated with metals including lead, zinc and cadmium has been remediated by excavation and removed to a containment cell to the north of the site. The site was remediated and validated as part of Lots 1003 and 603. The proposed subdivision has now changed and this Site Audit Statement relates to proposed Lot H.

The PCCS site is subject to Declaration of Remediation Site 21027 dated 10 September 2002 and Remediation Order 23008 dated 1 July 2003. Remediation of the site undertaken to comply with the order has reduced the migration of metals from the site via air, surface water and groundwater to a negligible level.

As groundwater at the wider PCCS site contains some metals contamination it should not be extracted for use without obtaining relevant approvals at the time. A moratorium on

groundwater use may be placed on the PCCS site following completion of the Remediation Order, and/or restrictions should be placed on water use under planning regulations. If extraction is contemplated, the water should be tested to verify that it is suitable for the proposed use.

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)*

...

subject to compliance with the following condition(s):

...

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

Overall comments

...

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. 9808).

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 23 / 11 / 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.