

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 416-12

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: 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: 3a Main Road, Boolaroo, NSW 2284. Access to Lot 610 is off the end of First Street, Boolaroo.

Postcode: 2284

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

Part Lot 2 DP1127713 (Proposed Part Lots 1001 and 1004). The site was all previously part of Lot 201 DP805914, which is the Declared Remediation Site.

Shown as "Remediation Area" in attachment at end of Part I of this Statement.

Local Government Area: Lake Macquarie

Area of site (e.g. hectares): 33.56 ha

Current zoning: Zone 2 Residential (30.66 ha); Remainder is zoned E2 Environmental Conservation.

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

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]*)

Residential and open space

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
- RCA Australia (RCA)
- WSP Environmental & Energy (WSP)
- Pasminco Cockle Creek Smelter (PCCS)

Title(s) of report(s) reviewed:

- 'Remedial Action Works Plan – Munibung Hills Remediation Area (Parcel 2) PCCS, Boolaroo NSW', 21 November 2007, Fitzwalter and Robert Carr & Associates (RCA).
- 'Review of Existing Groundwater Monitoring Network and Groundwater Quality Within the Munibung Hill Area (Remediation Parcel 2)', 3 June 2008, WSP Environment & Energy (WSP).
- 'Validation Report Parcel 2 Sub-Parcel A6 PCCS, Boolaroo', December 2008 (and previous draft), RCA.
- 'Revision of Review of Groundwater Quality within the Munibung Hills Area (Remediation Parcel 2)', dated 26 May 2009 by WSP.

***Strike out as appropriate**

- Auditor Review of Parcel 2 Sub-Parcel A4 Validation Report, dated December 2009 (and previous draft), RCA
- Auditor Review of Parcel 2 Sub-Parcel A7 & A8 Validation Report, dated February 2010 (and previous draft), RCA
- 'Validation Report Parcel 2 Sub-Parcel B8 PCCS, Boolaroo', March 2010, (and previous draft), RCA.
- 'Validation Report Parcel 2 Sub-Parcel B6 PCCS, Boolaroo', March 2010, (and previous draft), RCA.
- 'Validation Report Parcel 2 Sub-Parcel B2 PCCS, Boolaroo', March 2010, (and previous draft), RCA.
- 'Validation Report Parcel 2 Sub-Parcel A3 PCCS, Boolaroo', April 2010, RCA.
- 'Virgin Excavated Natural Material Evaluation Procedure for Importation to the Former Pasminco Cockle Creek Smelter', 1 April 2010, RCA.
- 'Validation Report Parcel 2 Sub-Parcel B7 PCCS, Boolaroo', June 2010 (and previous draft), RCA.
- 'Validation Report Parcel 2 Sub-Parcel B9 PCCS, Boolaroo', June 2010, RCA.
- 'Validation Report Parcel 2 Sub-Parcel B3 PCCS, Boolaroo', August 2010, RCA.
- 'Validation Report Parcel 2 Sub-Parcel D4 PCCS, Boolaroo', August 2010, RCA.
- 'Validation Report Parcel 2 Sub-Parcel A5 PCCS, Boolaroo', October 2010, RCA.
- 'Pasminco Cockle Creek Smelter, Site-wide Pre-remediation Groundwater Report – October 2010', January 2011, WSP.
- 'Validation Report Parcel 2 Sub-Parcels E2 & E3 PCCS, Boolaroo', March 2013 (and previous draft), RCA.
- 'Validation Report Parcel 2 Sub-Parcels D2, C5, D1 & C4, Pasminco Cockle Creek Smelter, Boolaroo', March 2013 (and previous draft), RCA.
- 'Validation Report, Parcel 2, Sub-Parcel E1, Pasminco Cockle Creek Smelter, Boolaroo', March 2013 (and previous draft), RCA.
- 'Environmental Monitoring Report (December 2013) – Former PCCS Facility, Boolaroo, NSW', 23 April 2014, Golder Associates (Golder).
- 'Environmental Monitoring Report (June 2014) – Former PCCS Facility, Boolaroo, NSW', 23 September 2014, Golder.
- 'Validation Report, Parcel 2, Sub-Parcel C3 PCCS, Boolaroo', August 2014 (and previous drafts), RCA.
- 'Groundwater Monitoring and Management Plan', 21 November 2014 (and previous drafts), Golder.
- 'Update of Activities Undertaken on Parcel 2 Site Following Remediation and Validation, PCCS Boolaroo', 18 February 2015, RCA.
- 'Update of Materials Removed to the Containment Cell from Part Parcel 2 Following Remediation and Validation, PCCS Boolaroo', 13 March 2015, RCA.

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

- 'Site Audit Report and Site Audit Statement, Remedial Action Works Plan, Parcel 2 Munibung Hills Pasminco Cockle Creek Site, Boolaroo NSW', 4 February 2008 by Dr W. Ryall of HLA-Envirosciences Pty Limited.

****Strike out as appropriate***

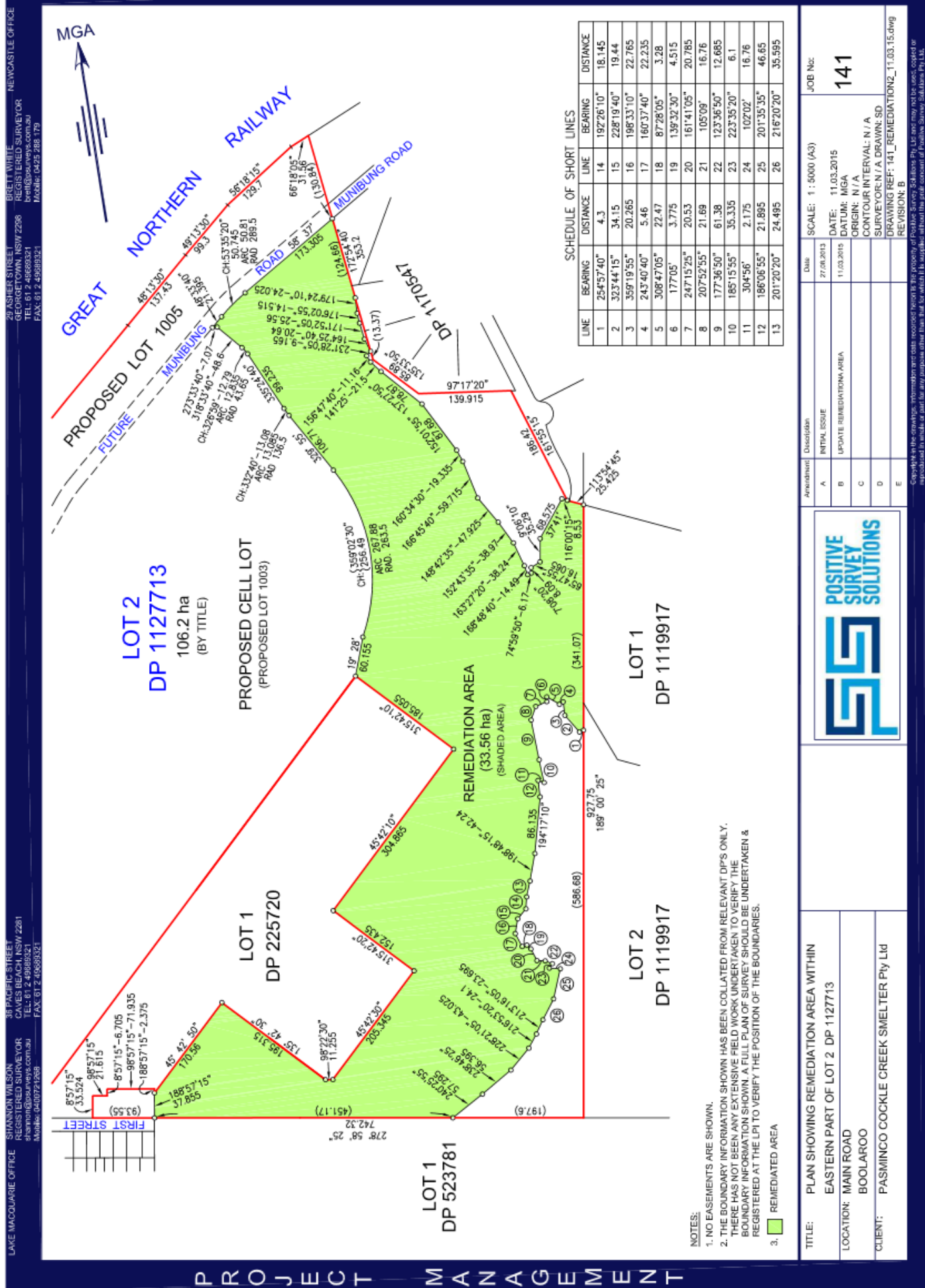
- Auditor Review of Parcel 2 Sub-Parcel A6 Validation Report, dated 6 March 2009.
- Auditor Review of Parcel 2 Sub-Parcel B8 Validation Report, dated 31 May 2010.
- Auditor Review of Parcel 2 Sub-Parcel B6 Validation Report, dated 31 May 2010.
- Auditor Review of Parcel 2 Sub-Parcel B2 Validation Report, dated 31 May 2010.
- Auditor Review of Parcel 2 Sub-Parcel A8 Validation Report, dated 31 May 2010.
- Auditor Review of Parcel 2 Sub-Parcel A7 Validation Report, dated 31 May 2010.
- Auditor Review of Parcel 2 Sub-Parcel A3 Validation Report, dated 31 May 2010.
- Auditor Review of Parcel 2 Sub-Parcel A4 Validation Report, dated 18 August 2010.
- Auditor Review of Parcel 2 Sub-Parcel B7 Validation Report, dated 18 August 2010.
- Auditor Review of Parcel 2 Sub-Parcel B9 Validation Report, dated 18 August 2010.
- Auditor Review of Parcel 2 Sub-Parcel B3 Validation Report, dated 13 December 2010.
- Auditor Review of Parcel 2 Sub-Parcel D4 Validation Report, dated 13 December 2010.
- Auditor Review of Parcel 2 Sub-Parcel A5 Validation Report, dated 14 March 2013.
- Auditor Review of Parcel 2 Sub-Parcel E1 Validation Report, dated 14 March 2013.
- Auditor Review of Parcel 2 Sub-Parcels C4, C5, D1 & D2 Validation Report, dated 14 March 2013.
- Auditor Review of Parcel 2 Sub-Parcel A6 Validation Report, dated 14 March 2013.
- Auditor Review of Parcel 2 Sub-Parcels E2 & E3 Validation Report, dated 15 March 2013.
- Auditor Review of Parcel 2 Sub-Parcel C3 Validation Report, dated 25 August 2014.

Site audit report

Title: Site Audit Report – Part Parcel 2 (Munibung Hills), Pasminco Cockle Creek, Boolaroo
NSW

Report no. AS120933

Date: March 2015



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 site. Soil contaminated with metals including lead, zinc and cadmium has been remediated by excavation and removed to a containment cell on the main former smelter site.

The Pasminco Cockle Creek Smelter is subject to Declaration of Remediation Site 21027 dated 10 September 2002 and Remediation Order 23008 dated 1 July 2003. The site was remediated to comply with the order.

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...

23/3/2015

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.