

David Christy

From: Michael Keys
Sent: Thursday, 7 October 2010 10:07 AM
To: David Christy
Subject: Fw: Albany Gasworks site and Future Development of the Site

For your info and reference.

Michael Keys
Director Planning & Economic Development

AlbanyCity

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From: Maria Bowen <Maria.Bowen@environment.nsw.gov.au>
To: Michael Keys
Sent: Thu Oct 07 09:26:05 2010
Subject: RE: Albany Gasworks site and Future Development of the Site

Dear Mr Keys,

I refer to your email correspondence of 29 September 2010 regarding the contamination status of the former Albany Gasworks Site (the site). The following responses are provided in relation to the matters raised.

What is the current status of the site in regards to contamination and DECCW orders or notices regarding remediation of the site?

The former Albany Gasworks site is currently declared as Significantly Contaminated Land under the *Contaminated Land Management Act* (the Act) due to contamination of the site with separate phase petroleum hydrocarbons including monocyclic, polycyclic and heterocyclic hydrocarbons and solvents. The declaration (# 26109) identifies 'the chemicals detected at the site include known, probable and possible human carcinogens as well as compounds that are toxic to aquatic ecosystems. The contaminants are present at high concentrations. Human exposures to the chemicals may result from the inhalation of volatile emissions, the use of groundwater (e.g., for irrigation of domestic gardens or park land) and contact with contaminated groundwater during excavation and/or maintenance works. Aquatic species may become exposed to the chemicals should the contaminated groundwater ultimately discharge into the Murray River. In addition, vapours associated with non-aqueous phase liquids that exist in parts of the site may present an explosion hazard'.

DECCW is currently working toward a Voluntary Management Proposal (VMP) with the Albany Gas Company for the remediation of the site which is expected to be provided by December 2010. The remediation is intended to remove the risks associated with the significantly contaminated land in relation to the existing use of the site as an open space car park.

Is there any objection from DECCW to the proposed carpark being constructed on the site given the current use of the site and DECCW's remediation declaration?

The declaration of remediation site does not prevent the redevelopment of the site for any specific use. Any change in use should be addressed by Council in accordance with *State Environmental Planning Policy 55* (SEPP 55) which would take into account the construction and design of the proposed redevelopment.

Is there a minimum timeframe for completion of the remediation works?

The timeframe for the remedial work must be commensurate with the risks associated with the contamination. The timeframe will be specified in the Voluntary Management Proposal and agreed between DECCW and the Albury Gas Company.

Yours Sincerely,

Maria Bowen | Senior Project Officer | Contaminated Sites | Department of Environment, Climate Change and Water | maria.bowen@environment.nsw.gov.au | Ph 9995 5725 | Fx 9995 5930

From: Michael Keys [mailto:mkeys@alburycity.nsw.gov.au]
Sent: Wednesday, 29 September 2010 1:03 PM
To: Bowen Maria; Livissianis Ben
Cc: Brian Curphey; Bradley Ferris; Andrew Lawson
Subject: Albury Gasworks site and Future Development of the Site

Good afternoon Maria and Ben

I am following up on my request from yesterday's meeting with Envestra/Aecom regarding written advice that I am seeking from your office in relation to future development of the Albury gasworks site.

Albury City has received a development application that involves the construction of an above ground 3 – storey carpark on the site. This development is related to a major redevelopment site, known as Volt Lane, in the Albury CBD and essentially will provide overflow long term parking requirements for office workers in our CBD.

I have attached a copy of the plans for the aspects of the development that relate to the gasworks site. The development is proposed to occur on the northern half of the site and is proposed to commence in October 2012.

Council is currently preparing an assessment report on this development application that will be submitted to the Joint Regional Planning Panel – Southern Region. In preparing this assessment report Council has determined that there remains some question over the contamination status of this land, DECCW's position in relation to contamination/remediation and the potential for future development of the site. These are questions that are likely to be raised by the Joint Regional Planning Panel when they conduct their hearing and / or independent assessment of the proposal.

I would therefore like to request a written response from DECCW that addresses the following matters:-

- i) What is the current status of the site in regards to contamination and DECCW orders or notices regarding remediation of the site?
- ii) Is there any objection from DECCW to the proposed carpark being constructed on the site given the current use of the site and DECCW's remediation declaration?
- iii) Is there a minimum timeframe for completion of the remediation works?

Your assistance in providing this information is appreciated and as noted yesterday we are seeking and would greatly appreciate a response by Wednesday 6th October 2010.

If you would like to discuss this matter further please feel free to contact me at your convenience.

Regards

Michael Keys
Director Planning & Environment
AlburyCity



Environment, Climate Change & Water

Our Reference : DOC10/46125
Contact : Maria Bowen

Mr Michael Keys
Director Planning and Environment
Albury City Council
PO Box 323,
Albury NSW 2640

Dear Mr Keys,

RE: Former Albury Gasworks Site and Future Redevelopment of the site

I refer to your email correspondence of 29 September 2010 regarding the contamination status of the former Albury Gasworks site located at the corner of Hume and Kiwra Street, Albury (the site). We note that the site is currently used as an open carpark and that a Development Application for an above ground multi-storey carpark has been received by Albury Council.

The former Albury Gasworks site is currently declared as Significantly Contaminated Land under the *Contaminated Land Management Act* (the Act) due to contamination of soil and groundwater associated with operations of the former gasworks at the site. The main contaminants include benzene and polycyclic aromatic hydrocarbons. The declaration (26109) under the Act identifies risks to human health and the natural environment including the potential for the inhalation of the contaminants (which may apply in confined spaces near the site). The declaration is available on DECCW public register at <http://www.environment.nsw.gov.au/prclmapp/sitedetails.aspx>.

DECCW will regulate the remediation of the site under the Act. The Albury Gas Company is preparing a Voluntary Management Proposal (VMP) for the remediation of the site which is due for submission to DECCW by December 2010. The remediation is intended to remove the risks associated with the significantly contaminated land in relation to the existing use of the site as an open space car park and to address the offsite risks to human health and the natural environment.

In regard to your enquiry relating to the timeframe for completion of the remedial work, DECCW will review the adequacy of the scope of work and timeframe in the VMP when it is provided by the Albury Gas Company. The timeframe for the completion of the remediation must be commensurate with the risks associated with the contamination.

The declaration of remediation site does not prevent the redevelopment of the site for any specific use. Risks that may arise from the proposed use of the site as a multi-storey carpark are a matter for Council to consider as the Appropriate Regulatory Authority in accordance with *State Environmental Planning Policy 55*.

Should you require further information or assistance in relation to these matters, please contact Maria Bowen on 02 9995 5725,

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Bourne', followed by a horizontal line and the date '14/10/10'.

MARK BOURNE
Unit Head Contaminated Sites Regulatory Unit
Department of Environment, Climate Change and Water