

Our reference: DOC16/113250
Contact: Wendy Stevenson (02) 9995 6866

Wayne Wallis
General Manager
Port Stephens Council
PO Box 42
Raymond Terrace NSW 2324

PORT STEPHENS COUNCIL Information Services	
21 MAR 2016	
File No.	PSC2011-02597
Action by	J. Gallagher
<input type="checkbox"/> R.H.C.	

Dear Mr Wallis

Former Caltex Service Station Nelson Bay – 38 Stockton Street, Nelson Bay

I am writing to inform you of the outcome of the Environment Protection Authority's (EPA) assessment of the former Caltex Service Station located at 38 Stockton Street, Nelson Bay (the site). The site is identified as Lot 781 in DP802108. The service station has been decommissioned and the site has been remediated and validated for potential future residential use (subject to the development approval process).

The site was notified to the EPA under the *Contaminated Land Management Act 1997* (CLM Act) by Caltex. In relation to the notified site, Caltex provided the following information to the EPA for review:

- Caltex (2015). *NSW Environment Protection Authority Contaminated Site Assessment Form*. Caltex Australia Petroleum Pty Ltd, 2 October 2015.
- Coffey (2015). *Site Remediation and Validation Report - Former Caltex Nelson Bay Service Station 38 Stockton Street, Nelson Bay*. Coffey Environments Australia Pty Ltd, 8 July 2015.
- Ramboll (2015). *Site Audit Report Former Caltex Service Station, 38 Stockton Street, Nelson Bay*. Ramboll Environ Australia Pty Ltd, 22 July 2015.

EPA Assessment

Based on the information provided, it has been determined that regulation of contamination under the CLM Act is not required for the following reasons:

- All infrastructure associated with the storage, pumping and handling of fuels and other petroleum products was removed from the site in 2014;
- The site has been remediated and validated for the future proposed use (residential);
- There has been no identified evidence of **past fuel leaks** that may have led to significant site contamination;
- Site investigations undertaken in 2004, ~~2009~~ and 2010 found ~~no evidence~~ of petroleum hydrocarbon contamination in soils and no significant **groundwater contamination**; and
- The results of the most recent site **assessment undertaken following site remediation** indicated that there is no significant petroleum **hydrocarbon contamination remaining** in soils beneath the site and no evidence of groundwater **contamination**.

Site Audit

As indicated above, the site has been subject to a statutory site audit prepared by an EPA-accredited Site Auditor in accordance with EPA guidelines (report listed above). The Site Auditor certified that the site is suitable for residential land use with accessible soil (including a garden with minimal home-grown produce contributing less than 10 per cent fruit and vegetable intake, but excluding poultry), among other potential future uses. In the Site Audit Statement, the Auditor provided the following comments:

The site is a former service station. Remediation of the site was undertaken to remove petroleum infrastructure. Minor residual hydrocarbon contamination and odours remain in soil in the south of the site beneath the depth of excavation (below 2 m). Hydrocarbon contamination was not identified in groundwater.

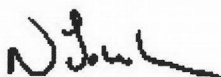
Shallow fill material remaining below concrete hardstand, buildings and in vegetated areas in the west of the site potentially contains fragments of bonded ACM. Coffey report that the concentration of bonded ACM on the site was less than the residential criteria, however recommended inspection of fill material if hardstand or buildings are removed. An unexpected finds protocol should be developed and followed.

Soils at the site have not been assessed for waste classification purposes or for use at any other site. If soil is removed from the site it should be classified for waste disposal in accordance with applicable regulations.

We are informing Council of current information on site conditions to assist Council in determining any future development applications relating to the site. Council may wish to make notations on the certificate for the site issued under section 149 of the *Environmental Planning and Assessment Act 1979* to record factual information regarding the site history and potential for residual contamination.

If you have any queries regarding the matters discussed in this letter please contact Wendy Stevenson on (02) 9995 6866 or wendy.stevenson@epa.nsw.gov.au.

Yours sincerely



14 March 2016

NIALL JOHNSTON
Manager Contaminated Sites
Environment Protection Authority