

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.

The form has where possible also been adapted to meet the requirements of Section 47 of the Waste Management and Pollution Control Act, NT.

PART I: Site audit identification

Site audit statement no. DP/NT/105

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* and as applicable under *Section 47 of the Waste Management and Pollution Control Act, NT*)

Name: Mike Nash Company: Douglas Partners Pty Ltd

Address: 96 Hermitage Road
West Ryde NSW 2114

Phone: 9809 0666 Fax: 9809 4095

Site details:

Address: 41 Boulter Road
Berrimah Northern Territory

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

*Section 5694, Hundred of Bagot, Plan L2003/067 Certificate of Title (CUFT)
Volume 768 Folio 513 (see attached plan of subdivision)*

Local Government Area: Darwin City Council

Area of site (e.g. hectares): 1.4 ha

Current zoning: Residential (Multiple Dwelling)

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

Declaration/Order/Agreement/Proposal/Notice* no(s) N/A

**Strike out as appropriate*

Site audit commissioned by

Name: John Tannos

Company: L J Superfund Pty Ltd

Address: PO Box 131

Berrimah NT

Postcode 0828

Phone 0889 474 220

Fax

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

Purpose of site audit

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

Residential subdivision for housing (multiple dwelling).

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 which conducted the site investigation(s):

Coffey Environments Australia Pty Ltd

Title(s) of report(s) reviewed:

- Coffey (2013). Preliminary Site Investigation Plan PA2012/0097_1165 Section 5694, Hundred of Bagot 41 Boulter Road, Berrimah, NT, dated 18 September 2013;
- Coffey (2013). Site Contamination Assessment 41 Boulter Road, Berrimah, Northern Territory, dated 17 October 2013;
- Coffey (2014). Supplementary Detailed Site Investigation Sampling Analysis and Quality Plan 41 Boulter Road, Berrimah, Northern Territory, dated 11 March 2014;
- Coffey (2014). Site Contamination Assessment (Preliminary Site Investigation and Detailed Site Investigation), Version 3 41 Boulter Road Berrimah, Northern Territory, dated 19 May 2014.

***Strike out as appropriate**

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

Correspondence – see Appendix C of Site Audit Report

Site audit report

Title: Statutory Site Audit Report, 41 Boulter Road, Berrimah, Northern Territory

Report no. 73847 (Audit DP/NT/105) Date: 28 May 2014

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:**

.....N/A.....

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

Based on the information provided by Coffey, the auditor considers that the 1.4 ha parcel of land located at 41 Boulter Road, Berrimah, NT, described as Section 5694, Hundred of Bagot, Plan L2003/067 Certificate of Title (CUFT) Volume 768 Folio 513, has been appropriately investigated and is now suitable for the proposed development as a residential subdivision for (multiple dwelling) housing.

The site was previously operated as a plant nursery (palms, mangoes and flowers) with a potential range of soil contaminants including *inter alia* herbicides, pesticides, petroleum hydrocarbons and heavy metals.

Coffey undertook three phases of investigations which are referenced in the above reports, including a preliminary site investigation (PSI) which involved 10 test pits of up to 2.0 m depth, a further 24 shallow soil sampling locations using hand tools, and sampling of some 500 m³ of imported soil materials from East Arm (intended to raise the site level) using 10 test pits. Sampling was undertaken on a grid basis in each case and soil analysis during each round of site testing involved a wide range of potential contaminants which were based on previous land uses at the site (from the site history) and on a review of potential contamination at the stockpile source site area.

All samples returned results either below laboratory detection limits or well within the adopted site investigation criteria. The adopted criteria were based on the published health and environmental investigation and screening levels suitable for the proposed residential land use (with access to soils).

Accordingly the consultants determined that the site was suitable for the proposed residential land use without any requirement for further testing and without the need for any form of environmental management plan. The auditor agrees with these conclusions. It is noted that the consultant stated that their investigations characterised the site only up to 11.00 am on 8 May 2014 on the basis that further importation of materials was likely to occur (probably from the same source site) to raise levels but which would nevertheless be uncharacterised. Accordingly the site audit has the same proviso in as much as the audit has determined the status of the site up to 11.00 am on 8 May 2014. It is therefore recommended that any further soil materials imported onto the site after the above date and time are tested for suitability.

Further details are provided in the attached Site Audit Report.

Section B

Purpose of the plan¹ which is the subject of the audit N/A.....
.....

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)~~

..... N/A.....
.....
.....

~~subject to compliance with the following condition(s):~~

..... N/A.....
.....

Overall comments

N/A

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

PART III: Auditor's declaration

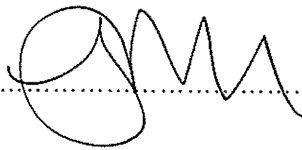
I am accredited as a site auditor by the NSW Environment Protection Authority under the *Contaminated Land Management Act 1997* (**Accreditation No. 9822**).

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 as applicable under Section 47 of the *Waste Management and Pollution Control Act, NT*; 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* and under *Waste Management and Pollution Control Act (NT)* for wilfully making false or misleading statements.

Signed



..... Date: 28 May 2014



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.

