



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 12 October 2017. For information about completing this form, go to Part IV.

Part I: Site audit identification

Site audit statement no. **ALC_1**

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 **Dr Ian C Swane**

Company **Ian Swane & Associates Pty Ltd**

Address **PO Box 359, Mortdale NSW** Postcode **2223**

Phone **0418 867 112** Email iswane@bigpond.com

Site details

Address **Former Bartalumba Bay Homestead, Bartalumba Bay Road near Anindilyakwa, Groote Eylandt, Northern Territory – refer Figures 1 – 3, LTEMP (attached)** Postcode **0822**

Property description

(Attach a separate list if several properties are included in the site audit.)

NT Portion 01199 plan(s) B 000517 described as Certificate of Title Volume 863 Folio 533

Local government area **Northern Territory (NT) Government**

Area of site (include units, e.g. hectares) **31.11 ha (311,100 m²), which covers the Homestead Site, jetty and foreshore area**

Current zoning **Residential and open space**

Regulation and notification

To the best of my knowledge:

- the site is the subject of a declaration, order, agreement, proposal or notice under the NT Waste Management and Pollution Control (WMPC) Act 1998 ~~Contaminated Land Management Act 1997~~ or the ~~Environmentally Hazardous Chemicals Act 1985~~, as follows:** (provide the no. if applicable)

~~Declaration no.~~

~~Order no.~~

~~Proposal no.~~

- Pollution Abatement Notice (PAN) No. 2018/8 issued by the NT Environment Protection Authority (EPA) dated 18/12/18 (Ref [21])**
-

- the site is not** the subject of a declaration, order, proposal or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985*.

To the best of my knowledge:

- the site has been notified to the NT EPA under the WMPC Act 1998 ~~section 60 of the Contaminated Land Management Act 1997~~**

- ~~the site **has not** been notified to the EPA under section 60 of the *Contaminated Land Management Act 1997*.~~

Site audit commissioned by

Name **Wesley van Zanden - Mining and Environment Officer**

Company **Anindilyakwa Land Council (ALC)**

Address **PO Box 172, 30 Bougainvillea Drive, Alyangula NT**

Postcode **0885**

Phone **0459 991 402**

Email wvanzanden@alcnt.com.au

Contact details for contact person (if different from above)

Name **Dr Ian Hollingsworth - Mining & Sustainability Manager, ALC**

Phone **0460 022 247**

Email ihollingsworth@alcnt.com.au

Nature of statutory requirements (not applicable for non-statutory audits)

- ~~Requirements under the *Contaminated Land Management Act 1997* (e.g. management order, please specify, including date of issue)~~

- ~~Requirements imposed by an environmental planning instrument (please specify, including date of issue)~~
- ~~Development consent requirements under the *Environmental Planning and Assessment Act 1979* (please specify consent authority and date of issue)~~
- Requirements under other legislation (please specify, including date of issue): **NT W MPC Act 1998**

Purpose of site audit

- ~~**A1** To determine land use suitability~~

~~Intended uses of the land:~~

~~OR~~

- ~~**A2** To determine land use suitability subject to compliance with either an active or passive environmental management plan (EMP)~~

~~Intended uses of the land:~~

~~OR~~

(Tick all that apply)

- ~~**B1** To determine the nature and extent of contamination~~
- ~~**B2** To determine the appropriateness of:~~
 - ~~an investigation plan~~
 - ~~a remediation plan~~
 - ~~a management plan~~
- ~~**B3** To determine the appropriateness of a **site testing plan** to determine if groundwater is safe and suitable for its intended use as required by the *Temporary Water Restrictions Order for the Botany Sands Groundwater Resource 2017*~~
- B4** To determine the compliance with an approved:
 - PAN No. 2018/6**
 - ~~voluntary management proposal~~ or
 - ~~management order under the *Contaminated Land Management Act 1997*~~
- B5** To determine if the land can be made suitable for a particular use (or uses) if the site is ~~remediated or managed~~ in accordance with a specified plan.

Information sources for site audit

Consultancies which conducted the site investigations and/or remediation:

Agon Environmental and ALS

Titles of reports reviewed:

1. Agon Environmental (14 August 2018) '*Asbestos Findings Summary Report, Bartalumba Bay, Groote Eylandt NT*'. Document No: JA0336/01 prepared for Anindilyakwa Land Council
2. Agon Environmental (17 October 2018) '*Sample Analysis and Quality Plan, Bartalumba Bay, Groote Eylandt NT*'. Document No: JA0336-SAQP/01 prepared for Anindilyakwa Land Council
3. Agon Environmental (5 November 2018a) '*Asbestos Management Plan, Bartalumba Bay, Groote Eylandt NT*'. Document No: JA0336_AMP/02 prepared for Anindilyakwa Land Council
4. Agon Environmental (5 November 2018b) '*Containment Cell Siting Design & Management Plan, Bartalumba Bay, Groote Eylandt NT*'. Document No: JA0336_CCSDMP/01 prepared for Anindilyakwa Land Council
5. Agon Environmental (5 November 2018c) '*Remediation Action Plan, Bartalumba Bay, Groote Eylandt, NT*'. Document No: JA0336_RAP/02 prepared for Anindilyakwa Land Council
6. Agon Environmental (7 December 2018) '*Bartalumba Bay Homestead, Groote Eylandt Asbestos Remediation Project*'. Document No: JA0336 prepared for Anindilyakwa Land Council
7. Agon Environmental (22 March 2019) '*Close Out Report, Bartalumba Bay Homestead, Groote Eylandt*'. Document No: JA0336 Close Out Report - Final prepared for Anindilyakwa Land Council
8. Agon Environmental (5 September 2022) '*Audit Advice Response - Bartalumba Bay Homestead Asbestos Remediation Project, Groote Eylandt*'. Document No: JA0336_L-01 prepared for Anindilyakwa Land Council
9. Agon Environmental (16 September 2022) '*Remediation and Validation Report, Bartalumba Bay Homestead and Containment Cell, Groote Eylandt NT*'. Document No: JA0336_CCSDMP/01 prepared for Anindilyakwa Land Council
10. ALS (13 July 2023) '*Certificate of Analysis, Work Order EN2305275 for Anindilyakwa Land Council (ALC)*'. 8 pages

Other information reviewed, including previous site audit reports and statements relating to the site:

20. ALC (16 November 2018) '*Proposed Containment Cell, Bartalumba Bay Road*'. Figure No. LP-0012-01
21. NT EPA (18 December 2018) '*Pollution Abatement Notice No. 2018/6, Issued to Anindilyakwa Land Trust*'

Site audit report details

Title **Site Audit Report ALC_1 by Dr Ian Swane, Remediation of Asbestos Contamination at the former Bartalumba Bay Homestead Site, Groote Eylandt, Northern Territory 0822**

Report no. **ALC_1**

Date **21 November 2023**

Part II: Auditor's findings

Please complete either Section A1, Section A2 or Section B, not more than one section. (Strike out the irrelevant sections.)

- Use **Section A1** where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land uses **without the implementation** of an environmental management plan.
- Use **Section A2** where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land uses **with the implementation** of an active or passive environmental management plan.
- Use **Section B** where the audit is to determine:
 - (B1) the nature and extent of contamination, and/or
 - (B2) the appropriateness of an investigation, remediation or management plan¹, and/or
 - (B3) the appropriateness of a site testing plan in accordance with the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2017*, and/or
 - (B4) whether the terms of the approved voluntary management proposal or management order have been complied with, and/or
 - (B5) whether the site can be made suitable for a specified land use (or uses) if the site is remediated or managed in accordance with the implementation of a specified plan.

~~Section A1~~

~~I certify that, in my opinion:~~

~~The site is 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):~~
-

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

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:~~

~~Section A2~~

~~I certify that, in my opinion:~~

~~Subject to compliance with the **attached** environmental management plan² (EMP), the site is 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):~~

~~EMP details~~

~~Title~~

~~Author~~

~~Date~~ ~~No. of pages~~

~~EMP summary~~

~~The EMP: (Tick appropriate box and strike out the other option.)~~

- ~~requires operation and/or maintenance of **active** control systems³~~
- ~~requires maintenance of **passive** control systems only³:~~

² Refer to Part IV for an explanation of an environmental management plan.

³ Refer to Part IV for definitions of active and passive control systems.

~~Purpose of the EMP:~~

~~Description of the nature of the residual contamination:~~

~~Summary of the actions required by the EMP:~~

~~How the EMP can reasonably be made to be legally enforceable:~~

~~How there will be appropriate public notification:~~

Overall comments:

Section B

~~Purpose of the plan⁴ which is the subject of this audit:~~

I certify that, in my opinion:

~~(B1)~~

~~The nature and extent of the contamination **has** been appropriately determined~~

~~The nature and extent of the contamination **has not** been appropriately determined~~

~~AND/OR (B2)~~

~~The investigation, remediation or management plan is appropriate for the purpose stated above~~

~~The investigation, remediation or management plan **is not** appropriate for the purpose stated above~~

~~AND/OR (B3)~~

~~The site testing plan:~~

~~**is** appropriate to determine~~

~~**is not** appropriate to determine~~

~~if groundwater is safe and suitable for its intended use as required by the *Temporary Water Restrictions Order for the Botany Sands Groundwater Resource 2017*~~

~~AND/OR (B4)~~

~~The terms of the notice, approved voluntary management proposal* or management order** (strike out as appropriate):~~

~~have~~ been complied with

~~**have not** been complied with.~~

PAN No. 2018/6

~~*voluntary management proposal no.~~

⁴ For simplicity, this statement uses the term 'plan' to refer to both plans and reports.

~~**management order no:~~

AND/OR (B5)

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): Residential and open space land use with regard to asbestos contamination remediated under PAN No. 2018/6**

IF the site is ~~remediated~~/managed* in accordance with the following plan (attached):

*Strike out as appropriate

Plan title	Long-Term Environmental Management Plan for Contamination Risks at the Former Bartalumba Bay Homestead Site (LTEMP)	
Plan author	Dr Ian Swane	
Plan date	21 November 2023	No. of pages 6

SUBJECT to compliance with the following condition(s):

1. **This Section B SAS numbered ALC_1 only applies to the former Bartalumba Bay Homestead site covering 31.11 ha of land defined as NT Portion 01199 plan(s) B 000517.**
2. **The Anindilyakwa Land Trust (ALT) is responsible for ensuring that the Homestead Site remains free of contamination and that any new / unexpected contamination found is managed in a safe manner protective of human health and the environment in accordance with the LTEMP attached to this SAS or future amended versions accepted by the NT EPA.**
3. **Unknown asbestos contamination at low concentrations may remain at the Homestead Site. However, such contamination should not affect the site’s suitability for residential land use provided any new asbestos find is managed in accordance with the LTEMP.**
4. **Unexpected finds of other types of contamination made during maintenance or construction work at the Homestead Site need to be managed in accordance with the LTEMP.**
5. **New contamination caused by future activities at the Homestead Site need to be managed in accordance with the LTEMP.**

Overall comments:

1. **This site audit statement (SAS) should be read in conjunction with its Site Audit Report (SAR). The SAR provides:**
 - a) **A detailed review of documentation provided on the investigation, remediation and validation work conducted at the Homestead Site; and**
 - b) **An assessment of contamination risks that remain at the Homestead Site and its suitability for continued residential / open space land uses.**
2. **The outcomes achieved by the investigation and remediation work for asbestos contamination at the Homestead Site have met the requirements of the PAN No. 2018/6. While the timing of some activities were delayed, the required outcomes were achieved or can be achieved through implementation of the LTEMP.**
3. **At the time this SAS was completed, no further investigation or remediation of asbestos contamination was needed to render the Homestead Site fit for its existing residential / open space uses. All known asbestos contamination exceeding Residential A soil criteria had been removed from the site and disposed off-site in accordance with PAN No. 2018/6.**
4. **A separate SAS numbered ALC_2 has been prepared for the long-term management of asbestos contamination placed in a containment cell located at the Disposal Site legally defined as NT Portion 1632, Survey Plan CP 004201 (Figure 1).**

Part III: Auditor's declaration

I am accredited as a site auditor by the NSW Environment Protection Authority (EPA) under the *Contaminated Land Management Act 1997*.

Accreditation no. **9821**

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 **21 November 2023**

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

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

Part II contains the auditor's opinion of the suitability of the site for specified uses or of the appropriateness of an investigation, or remediation plan or management plan which may enable a particular use. It sets out succinct and definitive information to assist decision-making about the use or uses of the site or a plan or proposal to manage or remediate the site.

The auditor is to complete either Section A1 or Section A2 or Section B of Part II, **not** more than one section.

Section A1

In Section A1 the auditor may conclude that the land is *suitable* for a specified use or uses 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 investigation or remediation or management of the site was needed to render the site fit for the specified use(s). **Conditions must not be** imposed on a Section A1 site audit statement. Auditors may 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.

Section A2

In Section A2 the auditor may conclude that the land is *suitable* for a specified use(s) subject to a condition for implementation of an environmental management plan (EMP).

Environmental management plan

Within the context of contaminated sites management, an EMP (sometimes also called a 'site management plan') means a plan which addresses the integration of environmental mitigation and monitoring measures for soil, groundwater and/or hazardous ground gases throughout an existing or proposed land use. An EMP succinctly describes the nature and location of contamination remaining on site and states what the objectives of the plan are, how contaminants will be managed, who will be responsible for the plan's implementation and over what time frame actions specified in the plan will take place.

By certifying that the site is suitable subject to implementation of an EMP, an auditor declares that, at the time of completion of the site audit, there was sufficient information satisfying guidelines made or approved under the *Contaminated Land Management Act 1997*

(CLM Act) to determine that implementation of the EMP was feasible and would enable the specified use(s) of the site and no further investigation or remediation of the site was needed to render the site fit for the specified use(s).

Implementation of an EMP is required to ensure the site remains suitable for the specified use(s). The plan should be legally enforceable: for example, a requirement of a notice under the 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*.

Active or passive control systems

Auditors must specify whether the EMP requires operation and/or maintenance of active control systems or requires maintenance of passive control systems only. Active management systems usually incorporate mechanical components and/or require monitoring and, because of this, regular maintenance and inspection are necessary. Most active management systems are applied at sites where if the systems are not implemented an unacceptable risk may occur. Passive management systems usually require minimal management and maintenance and do not usually incorporate mechanical components.

Auditor's comments

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.

Section B

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 the appropriateness of a site testing plan in accordance with the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2017*, and/or whether the terms of an approved voluntary management proposal or management order made under the CLM Act have been complied with, and/or whether the site can be made suitable for a specified land use or uses if the site is remediated or managed in accordance with the implementation of a specified 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. The condition must not specify an individual auditor, only that further audits are required.

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.

Part III

In **Part III** the auditor certifies their 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

- the **NSW Environment Protection Authority**:
nswauditors@epa.nsw.gov.au or as specified by the EPA

AND

- the **local council** for the land which is the subject of the audit.

LONG-TERM ENVIRONMENTAL MANAGEMENT PLAN FOR CONTAMINATION RISKS AT THE FORMER BARTALUMBA BAY HOMESTEAD SITE

by
Dr Ian C Swane

1. Purpose

- a) The purpose of this long-term environmental management plan (**LTEMP**) is to provide protocols for managing presently unknown asbestos or other types of contamination that may remain at the former Bartalumba Bay Homestead site (**Homestead Site**), Bartalumba Bay Road, Groote Eylandt, covering 31.11ha of land legally defined as NT Portion 01199 plan(s) B 000517. A location plan for the Homestead Site is provided in **Figure 1**, with layout plans for 2022 and 2023 provided in **Figures 2** and **3**, respectively.
- b) At the time site audit statement ALC_01 was completed, no further investigation or remediation of asbestos contamination was needed to render the Homestead Site fit for its existing residential / open space uses. All known asbestos contamination exceeding Residential A soil criteria has been removed from the site and disposed off-site in accordance with PAN No. 2018/6.
- c) Normal day to day residential / open space activities that occur at the Homestead Site should not trigger the implementation of this LTEMP. This LTEMP is most likely to be triggered through future maintenance or construction work that uncovers new / unexpected contamination, or future activities that may contaminate the site.
- d) New / unexpected contamination that is found at the Homestead Site is to be managed in accordance with the protocols in **Section 5**.

2. Background Information

- a) The Homestead Site has a history of maritime use as a prawn/fish processing base up until the late 1970's when parts of the base were demolished and then used for both residential and recreational uses.
- b) Structures present in 2018 comprised a rock wall jetty that extended north into Deception Bay from the foreshore, a duplex dormitory, a recreational club, 11 remnant concrete slabs (numbered 1 - 11) from other former structures that had previously been demolished, unsealed roadways, an ablution block, four residential buildings, a rock wall and fire pit. A broken wastewater disposal pipeline ran the full length of the jetty wrapped in fibrous matting, with gaskets at regular intervals.
- c) In 2018 an extensive amount of ACM building material was present at the Homestead Site, either in derelict buildings or scattered across the site as broken or degraded ACM fragments.
- d) A Pollution Abatement Notice (**PAN**) No. 2018/6 was issued by the NT EPA dated 18/12/2018. The PAN required, among other things, that:
 - The impacted building demolition waste and soil material contaminated with asbestos containing material (**ACM**) at the Homestead Site be remediated in accordance with a Remedial Action Plan (**RAP**) endorsed by a Site Auditor;
 - The asbestos waste be disposed in an appropriately constructed containment cell located off-site at the nearby Disposal Site;
 - The Site Auditor to provide the NT EPA with a site audit statement and site audit report at the end of the remediation and validation work; and
 - An updated Asbestos Register be prepared by/for the ALC and endorsed by the Site Auditor.
- e) Further information on site conditions, investigations and remediation work undertaken at the Homestead Site between 2018 and 2023 is provided in "*Site Audit Report ALC_1 by Dr Ian Swane, Remediation of Asbestos Contamination at the former Bartalumba Bay Homestead Site, Groote Eylandt, Northern Territory 0822*" dated 20/11/2023.

3. Roles and Responsibilities

- a) The Anindilyakwa Land Trust (**ALT**) is the owner and occupier of the Homestead Site and has overall responsibility for the implementation of this LTEMP. This should include, among other things, the ongoing review of the LTEMP's implementation by the ALC documented in reports prepared by the ALC.
- b) The Anindilyakwa Land Council (**ALC**) is the operational arm of the ALT and has day-to-day operational responsibility for the implementation of this LTEMP. This includes:
- Liasing with residents at the Homestead Site on the implementation of this LTEMP on an as-needed basis and when complaints are received from residents regarding possible contamination issues or the implementation of this LTEMP;
 - The ALC Mining and Sustainability Manager or their delegated representative undertake a 6-monthly inspection of the Homestead Site that involves, among other things, a detailed walkover survey looking for physical evidence of contamination at the ground surface, taking a photographic record of site conditions, and documenting the inspection results in a report;
 - Providing contractors and residents at the Homestead Site with a copy of this LTEMP and advising them of their responsibilities;
 - Up-dating the LTEMP on an as-needed basis, with a copy of any amended LTEMP to be sent to the NT EPA without delay;
 - Recording all relevant information regarding all new / unexpected contamination that may be found at the Homestead Site for a period of not less than 7 years;
 - Preparing an annual report on the implementation of this LTEMP;
 - Providing copies of records regarding implementation of this LTEMP to the NT EPA upon request;
 - Provide a copy of an updated Asbestos Register for the Homestead Site, endorsed by the Site Auditor, if required following the completion of the asbestos remediation work (as required by the PAN); and
 - Any additional requirement of the NT EPA.
- c) Contractors who work at the Homestead Site are responsible for ensuring:
- Their workers are made aware of the risk of new, presently unknown asbestos and other types of contamination;
 - New / unexpected contamination is managed in accordance with the new / unexpected finds protocol (**Section 5**); and
 - Maintenance / construction work does not pollute the site.
- d) Residents who live at the Homestead Site have a responsibility not to undertake activities that may pollute the site. Any new / unexpected contamination that may be found by a resident is to be reported to the ALC without delay for action by the ALC.

4. Excavation / Site Clearing Work

- a) The ALC is to provide a copy of this LTEMP to all Contractors who are to undertake excavation or site clearing work at the Homestead Site prior to the commencement of site work. The Contractor is to incorporate the requirements of this LTEMP into their Work Health and Safety (**WHS**) Plan.
- b) Contractors who are to undertake excavation or site clearing work at the Homestead Site are to adopt work practices that:
- i. address the risk of encountering new / unexpected finds of contamination during their work;
 - ii. address the risk of encountering buried services / structures that may contain a new / unexpected find of contamination;
 - iii. can isolate any new / unexpected find that may be found, thereby minimising the quantity of contamination and the size of the affected area; and

- iv. ensure their work does not affect the safety of residents or pollute the environment.
- c) Indicators of potential contamination may include:
 - i. ACM fragments;
 - ii. Stained or discoloured fill, soils or seepage water;
 - iii. Odorous fill, soils or seepage waters;
 - iv. Construction/demolition wastes such as concrete, bricks, timber, tiles and pipes;
 - v. General rubbish such as plastic, glass, packaging; and
 - vi. Buried services / tanks / pits.
- d) If no new / unexpected contamination is found by the Contractor during their work at the Homestead Site, the Contractor must advise the ALC of this outcome at the end of site work.
- e) The ALC will be responsible for assessing the nature and extent of any new / unexpected contamination found at the site and for organising remediation / validation work that may be required.
- f) The appropriate person from the ALC is to inspect all excavation / site clearing work undertaken at the site sufficient to verify whether new / unexpected contamination was encountered during the work.
- g) Should new / unexpected contamination be found during excavation / site clearing work at the site, the Contractor shall implement the new / unexpected protocol (**Section 5**).

5. New / Unexpected Finds Protocol

- a) If new / unexpected contamination is found at the Homestead Site, the location of the find is to be first recorded and persons (if any) in the vicinity are to vacate the affected area. The presence of the find is then to be reported to the ALC without delay by the person who made the find or their delegated representative.
- b) If a Contractor is working in the affected area, the Contractor is to stop work in the affected area, make the affected area safe, barricade off the affected area, and wait until the ALC issues a direction on how such contamination is to be managed.
- c) The risks posed by new contamination are to be assessed by the ALC Mining and Sustainability Manager in the first instance, who may need to engage an appropriately qualified and experienced environmental consultant if the risk to human health or the environment is more than trivial.
- d) Contamination needing to be remediated is to be remediated without unnecessary delay and the work validated in accordance with the WMPC Act and NT EPA guidance.
- e) Records on the identification of new / unexpected finds, their investigation, remediation and validation are to be prepared by / for the ALC in accordance with NT EPA guidance. All records are to be kept by the ALC for a period of not less than 7 years.
- f) In the event that the ALC considers there is a risk that new / unexpected contamination at the Homestead Site may affect the suitability of the site for ongoing residential / open space land use, the NT EPA is to be notified without delay and a Site Auditor appointed to review the remediation and validation work and to assess the suitability of the site for residential / open space use.

Figure 1 Location Plan for Former Bartalumba Bay Homestead

(Source: Figure 2, Ref [9])



Figure 2 2022 Site Layout

(Source Figure 3, Ref [9])



Figure 3 2023 Aerial Photo of Homestead Site

(Source: Google Maps)

